

CUL - Ho 3912 - 21 - P243847.

BULLETIN  
OF THE  
INSTITUTE  
OF  
HISTORICAL  
RESEARCH



Vol. XXXVI No. 93

May 1963

UNIVERSITY OF LONDON  
**The Athlone Press**

## CONTENTS

Articles.	PAGE
Magna carta beati Thome: another Canterbury forgery. C. R. CHENEY . . . . .	1
Jeremy Bentham and John Bowring: a study of the relationship between Bentham and the editor of his <i>Collected Works</i> . G. F. BARTLE . . . . .	27
The Municipal Corporation Commission and Report, 1833-35. G. B. A. M. FINLAYSON . . . . .	36
Gladstone, the liberals, and the election of 1874. W. H. MAEHL . . . . .	53
 <b>Notes and Documents.</b>	
Richard of Devizes and the annals of Winchester. J. T. APPLEBY . . . . .	70
The 'Cronica Buriensis' and the abbey of St. Benet of Hulme. ANTONIA GRANSDEN . . . . .	77
A Kent approver of 1440. MARGARET ASTON . . . . .	82
An Elizabethan village 'census'. K. J. ALLISON . . . . .	91
<b>Historical News</b> . . . . .	104
 <b>Summaries of Theses.</b>	
245. William III and the Northern Crowns during the Nine Years' War, 1689-97. S. P. OAKLEY, Ph.D. . . . .	106
<b>Historical Manuscripts</b> --A. Accessions . . . . .	110
B. Migrations . . . . .	111

The Editor of the Bulletin is PROFESSOR FRANCIS WORMALD, *Director of the Institute*. It is published twice a year, in May and November. The present price of each number is 15s. The annual subscription of 30s. covers two numbers, the Theses Supplement and occasional Special Supplements; also the Annual Report of the Institute.

Forms for subscriptions or for Bankers' Orders may be obtained on application to the Secretary, Institute of Historical Research, Senate House, W.C.1. Inquiries for back numbers of the Bulletin and the Theses Supplements should be addressed to Messrs. W. Dawson & Sons Ltd., Back Issues Department, 16 West Street, Farnham, Surrey, England.

BULLETIN OF THE INSTITUTE OF  
HISTORICAL RESEARCH

BULLETIN OF  
THE INSTITUTE OF  
HISTORICAL  
RESEARCH

VOLUME XXXVI

1963

UNIVERSITY OF LONDON  
THE ATHLONE PRESS

1963



243847

## CONTENTS

<b>Articles</b>	<b>PAGE</b>
MAGNA CARTA BEATI THOME: ANOTHER CANTERBURY FORGERY. By <i>C. R. Cheney</i>	I
MARRIAGE AND POLITICS IN THE FIFTEENTH CENTURY: THE NEVILLES AND THE WYDEVILLES. By <i>J. R. Lander</i>	119
JEREMY BENTHAM AND JOHN BOWRING: A STUDY OF THE RELATIONSHIP BETWEEN BENTHAM AND THE EDITOR OF HIS <i>Collected Works</i> . By <i>G. F. Bartle</i>	27
THE MUNICIPAL CORPORATION COMMISSION AND REPORT, 1833-5. By <i>G. B. A. M. Finlayson</i>	36
RADICALISM IN TRINIDAD AND COLONIAL OFFICE REACTIONS, 1855-6. By <i>Mary Cumpston</i>	153
GLADSTONE, THE LIBERALS AND THE ELECTION OF 1874. By <i>W. H. Machl</i>	53
THE UNION OF DEMOCRATIC CONTROL DURING THE FIRST WORLD WAR. By <i>H. Hanak</i>	168
<b>Notes and Documents</b>	
RICHARD OF DEVIZES AND THE ANNALS OF WINCHESTER. By <i>J. T. Appleby</i>	70
AN ENGLISH ENDOWMENT FOR THE COLLÈGE SAINT-BERNARD. By <i>C. H. Lawrence</i>	181
THE 'CRONICA BURIENSIS' AND THE ABBEY OF ST. BENET OF HULME. By <i>Antonia Gransden</i>	77
A KENT APPROVER OF 1440. By <i>Margaret Aston</i>	82
FOUR EARLY TUDOR FINANCIAL MEMORANDA. By <i>Sybil Jack</i> and <i>R. S. Schofield</i>	189
AN ELIZABETHAN VILLAGE 'CENSUS'. By <i>K. J. Allison</i>	91
PROCEEDINGS IN THE HOUSE OF COMMONS, 1721-2. By <i>A. N. Newman</i>	206
<b>Summaries of Theses</b>	
245. WILLIAM III AND THE NORTHERN CROWNS DURING THE NINE YEARS' WAR, 1689-97. By <i>S. P. Oakley, Ph.D.</i>	106
246. BRITISH HISTORICAL WRITING FROM ALEXANDER DOW TO MOUNT-STUART ELPHINSTONE ON MUSLIM INDIA. By <i>J. S. Grewal, Ph.D.</i>	217
247. ANGLO-SWISS RELATIONS, 1845-60. By <i>Ann G. Imlah, Ph.D.</i>	218
<b>Historical Manuscripts</b>	
A. ACCESSIONS	110
B. MIGRATIONS	III, 224
INDEX	227
<b>Historical News</b>	
INDEX	104, 213 230

# BULLETIN OF THE INSTITUTE OF HISTORICAL RESEARCH



Vol. XXXVI No. 93

May 1963

## Magna Carta Beati Thome: another Canterbury Forgery

IN THE *Concilia Magnae Britanniae et Hiberniae* of David Wilkins (1737) there stands under the year 1166 (i. 437-8) a document entitled: 'Charta Thomae Becket, Cant. archiepiscopi, de privilegiis Cantuar. ecclesiae'.<sup>1</sup> Wilkins printed it from a copy in the archiepiscopal register of William Courtenay (1381-96), fo. 46v, where it is included in the copy of an *inspeximus* by the prior of St. Gregory's, Canterbury, and the dean of christianity of the city, dated 1275, Thursday before the Purification (that is, 30 January 1276).<sup>2</sup> The charter of St. Thomas is printed also in J. A. Giles's edition of his Letters ((1845), i. 158), and again in the *Materials* edited by J. C. Robertson and J. B. Sheppard in the Rolls Series (vii (1885), pp. 60-3), which makes use of Canterbury, Christ Church, Reg. A, fos. 38v, 61r.<sup>3</sup>

This is a remarkable document which has in modern times attracted less attention than it deserves. Noticed briefly by local Canterbury historians, Nicolas Battely, J. Brigstocke Sheppard, and C. E. Woodruff,<sup>4</sup> it finds no mention in the standard histories of the archbishop or in extensive modern accounts of Christ Church, Canterbury and of the conflicts between the prior and convent and the archbishops. Yet, if its provisions are to be taken seriously, it is a fundamental source.

In a preamble Archbishop Thomas refers to the calamities which his conduct has brought upon the church of Canterbury during seven years, and declares himself ready to expose his head and body to his persecutors in order to obtain its peace and security. The dispositions which follow in the charter may for convenience be numbered from one to twelve. (I) the archbishop places the church, its persons, lands, etc. under the

<sup>1</sup>I wish to express my thanks to Professor V. H. Galbraith and Professor R. W. Southern, who kindly read this paper in draft, for valuable advice.

<sup>2</sup>The *inspeximus* also includes the confirmatory bull of Pope Gregory IX, 'Cum ecclesiam vestram', of 21 Jan. 1228 (below, p. 24).

<sup>3</sup>The text is, for convenience, printed below, p. 22.

<sup>4</sup>W. Somner, *Antiquities of Canterbury*, ed. N. Battely (1703), II. i. 104-5; J. B. Sheppard, in *Hist. MSS. Comm., 8th Rept.*, app. i, p. 320b; C. E. Woodruff and W. Danks, *Memorials of Canterbury Cathedral* (1912), p. 103.

protection of God, the Roman Curia, and himself, forbidding any to alienate the church's rights without the consent of the whole chapter of monks. (II) is a perpetual anathema to bind all who harm the possessions or rights of the church or maliciously reveal the chapter's secrets. (III) no person of other profession or order is to be admitted to the chapter's secrets. (IV) the manors and possessions of the monks and the churches on them, with certain offerings called *exennia*, are confirmed. (V) the monks are confirmed in their right to appoint and remove their officials and servants. (VI) the monks may utter ecclesiastical censures against all malefactors. (VII) they may appeal to the apostolic see 'contra omnia gravamina'. (VIII) anathema is pronounced on anyone who attempts to transfer the metropolitan see or the primacy elsewhere. (IX) suffragan bishops of the church of Canterbury are not to be consecrated elsewhere than in the church of Canterbury, except by common consent of the whole chapter. (X) chrism and oil for the province of Canterbury shall only be distributed from the cathedral church. (XI) the archbishop wishes and implores the monks to show all reverence and honour to the suffragan bishops and the abbots of the province, and the bishops to show their true love for the monks. Finally, (XII) the archbishop confirms the rights, revenues, and churches of his fellow-exiles and implores all to avoid doing them harm.

Like most of the authenticated acts of Archbishop Thomas, the charter bears no date. If we accept the reading of the preamble which appears in the printed editions and which speaks of the seven calamitous and anxious years of the church of Canterbury, there is no difficulty in assigning the charter to the year 1170, for Becket returned in the seventh year of his exile. To be sure, the word *septennium* is no better attested in the manuscripts than *sempiternum*, but it makes better sense and has much to commend it. In any case, the charter speaks of those who have shared the archbishop's exile and who, by implication, have returned to Canterbury. To the scribe of Lambeth MS. 1212, who copied it late in the thirteenth century, it appeared to be the martyr's last will, composed a few days before he died.<sup>1</sup> It has the air, indeed, of belonging, if not to the very eve of martyrdom, to the same month: Becket only arrived in England on 1 December. But what of the textual tradition?

Copies are in registers of Christ Church, Canterbury, composed in the time of Prior Henry of Eastry (1285-1331) and after, and in other documents among the muniments of the cathedral priory which are of no greater age.<sup>2</sup> Besides being copied into the archiepiscopal register of

<sup>1</sup>The rubric reads: 'Testamentum beati Thome martiris gloriosi conditum perpaucos dies ante mortem suam'.

<sup>2</sup>Canterbury, Dean & Chapter Muniments, Chartae antiquae, C.204 and C.120, m. 1, Reg. A, fos. 38v (formerly 45) and 61r (formerly 68), Reg. I, fo. 85v, Reg. O, fo. 159v (formerly 359); also in Canterbury books elsewhere: British Museum, Cotton MS. Galba E. iii, fo. 55r, Galba E. iv, fo. 58v, Cambridge, St. John's College, MS. N. 6, fo. [51] (formerly 14).

William Courtenay in the *inspeximus*, already mentioned, of 30 January 1276, it appears in the register of the see contained in Lambeth MS. 1212, p. 258, and in Lambeth, Cartae misc. XIII. 6 (ii), written in 1286. The clause which calls down curses upon those who injure the church of Canterbury was copied with other anathemas early in the fourteenth century in a Worcester book, Bodleian MS. Rawlinson C.428, fo. 171rb, and was invoked by archbishops of Canterbury from the time of Robert Winchelsey.<sup>1</sup> Is there, then, no trace of this charter, known in the later Middle Ages as Magna Carta beati Thome, earlier than these late texts and quotations, all of them a hundred years after its reputed date?

There are highly significant traces. First, the clause (IX) which protects the prior and convent of Canterbury against the consecration of suffragan bishops of the province outside the cathedral church is cited at various consecrations of bishops from the time of Robert Grosseteste's consecration at Reading in June 1235.<sup>2</sup> Secondly, if a plausible conjecture of the late Canon C. E. Woodruff be accepted, this was the document of which a spurious original was exposed in the time of Archbishop Edmund, in 1237.<sup>3</sup> But before we consider these indications (which come, after all, sixty years after Thomas's death), the form and substance of the charter had better be examined, especially in relation to the history of the cathedral priory from Archbishop Thomas's time to Archbishop Edmund's.

As regards form, caution is necessary. We do not know enough about the secretarial arrangements of Archbishop Thomas and possess too few of his administrative letters to be sure that his clerks achieved or even desired consistency, and Dr. Saltman's study of Archbishop Theobald's

<sup>1</sup>Wilkins, *Concilia*, ii. 313b (1309); *Reg. H. Chichele*, ed. E. F. Jacob (Canterbury & York Soc., 1937-47), iii. 104 (1414); *Reg. T. Bourghier*, ed. F. R. H. Du Boulay (Canterbury & York Soc., 1956), p. 16 (1454).

<sup>2</sup>'Cauciones' by bishops consecrated elsewhere, and by the prelates officiating at their consecration, were carefully preserved by the monks of Canterbury. Some may be seen in Canterbury, D. & C. Muniments, Chartae antiquae, C.120 (a 15th-cent. roll), and a longer series, *ibid.*, Reg. A, fos. 62r (formerly 69)-77r; some are in Reg. I, fo. 98 and Reg. O, fo. 185r. 'Cauciones' given by Archbishop Stephen Langton in 1215, 1226, and 1227 do not mention St. Thomas's charter (*Acta Stephani Langton*, ed. Kathleen Major (Canterbury & York Soc., 1950), pp. 21, 114, 121). For the 'caucio' of Robert Grosseteste see below, p. 15. Of later documents which mention the charter of St. Thomas, examples are the letter of Archbishop John Pecham on the occasion of consecrating Richard Swinfield, bishop of Hereford, in 1283: 'Cum beatus Thomas martir . . . et nichilominus beatus Eadmundus . . . statuerint consecrationes suffraganeorum . . . in ipsa ecclesia . . . celebrari debere' (Canterbury, Reg. I, fo. 98v), and the licence of the prior and convent of Christ Church in similar terms for Griffin, elect of Bangor, to be consecrated elsewhere in 1307: 'Licet beatus Thomas martir inclitus . . . et nichilominus beatus Eadmundus . . . statuerint consecrationes suffraganeorum . . . in dicta ecclesia nostra . . . celebrari debere' (Cambridge, Univ. Libr., MS. Ee. 5.31, fo. 106v). For later references see *Reg. H. Chichele*, i. 111 (1429) and Somner, II. i. 105 (1443), II. ii. 45 (1509).

<sup>3</sup>'Some early professions of canonical obedience to the see of Canterbury', *Trans. St. Paul's Ecclesiological Soc.*, vii (1916), 161-2.

acts should discourage dogmatism.<sup>1</sup> For Becket about two hundred letters, preserved as records of his dispute with King Henry II, are assembled in the *Materials for the History of Thomas Becket*.<sup>2</sup> But none of these survives in original, and only a handful of them are formal administrative acts. Other indubitable charters and mandates of the archbishop probably do not number forty, of which four only are originals. Diplomatic criteria are consequently hard to apply. Nevertheless, it is possible to arrive at conclusions about some common habits—if not invariable rules—of Thomas Becket's chancery. It is worth while deducing these for comparison with Magna Carta.

Apart from acts of which the original title and address are omitted or abridged, an overwhelming majority of those ascribed to Thomas Becket use the title: *Thomas dei gratia ecclesie Cant. (or Cant. ecclesie) minister humilis* (or *humilis minister*), with or without the addition of the dignity of *apostolice sedis legatus*, bestowed on Thomas in April 1166. In the non-administrative letters, some such epithet as *exsul miserabilis* occasionally supplements or replaces *minister humilis*.<sup>3</sup> A comparatively small minority of the non-administrative letters (which survive only in copies) have the title: *Thomas dei gratia archiepiscopus Cant. et apostolice sedis legatus*.<sup>4</sup> These two main forms are so overwhelmingly numerous as to cast grave doubts on any letter which begins with other words.<sup>5</sup> In no certainly genuine administrative act did this archbishop use the primatial style, *totius Anglie primas*.<sup>6</sup> As regards title, then, Magna Carta, which reads *dei*

<sup>1</sup>A. Saltman, *Theobald, Archbishop of Canterbury* (1956), pp. 181–232.

<sup>2</sup>Edited by J. C. Robertson and J. B. Sheppard in vols. v–vii (1881–5) of the *Materials for the History of Thomas Becket* (hereafter cited as *Materials*) (Rolls Series). Professor Raymonde Foreville, 'Lettres "extravagantes" de Thomas Becket, archevêque de Canterbury', *Mélanges d'histoire du moyen âge dédiés à la mémoire de Louis Halphen* (Paris, 1951), pp. 225–38 (hereafter cited as *Mélanges*) counts 194, without reckoning letters written in his name by his clerks, John of Salisbury, Lombard of Piacenza, and Herbert of Bosham (p. 226, n. 6).

<sup>3</sup>*Materials*, vi. 471, 640, vii. 17, 183, 187.

<sup>4</sup>*Ibid.*, v. 232, 234, vi. 181, 193, 541, 542, 558, 560, 561, vii. 45, 50, 97, 100, 104, 107, 110, 256, 258, 307, 320, 324. The letter to the subprior and monks of Christ Church at vi. 589 inserts 'totius Anglie primas' after 'Cantuariensis archiepiscopus'.

<sup>5</sup>Cf. Saltman, pp. 181–2 for the common confusion between the acts of Theobald and those of Thomas. He points to four certain acts of Theobald with the title *Cant. ecclesie minister humilis*: the archbishop's will, one act in favour of Christ Church, and two in favour of Dover Priory. See also *The Letters of John of Salisbury*, ed. W. J. Millor and others, i (1955), p. 71 (no. 7, formerly no. 36), p. 166 (no. 105, formerly no. 43).

<sup>6</sup>Cf. C. R. Cheney, *English Bishops' Chanceries 1100–1250* (Manchester, 1950), p. 65. *Materials*, vi. 589 uses the primatial title (cf. above, n. 4). Because of the concurrent evidence of the originals and the majority of copies of acts which can be certainly assigned to Thomas, one is led to credit his chancery with some degree of consistency in this matter. For this reason I am disposed to reject all administrative acts containing the primatial style. This involves attributing to Theobald nos. 9–12 of the series which Mlle Foreville ascribes to Thomas (*Mélanges*, pp. 232–4). Mlle Foreville accepted the name of Thomas in these copies before Dr.

*gratia archiepiscopus et apostolice sedis legatus*, agrees with some twenty-two letters of the collected correspondence, but not with any of the administrative *acta*.<sup>1</sup> Coming to the form of address used by the archbishop in his charters, indulgences, etc. which call for a general address, we find that Thomas, like Theobald, uses *omnibus* (or *universis*) *sancte matris ecclesie filiis* or a closely similar formula, sometimes qualified with *ad quos presentes littere pervenerint*. Compared with other productions ascribed to Archbishop Thomas, Magna Carta is unique in its address: *omnibus ad quos presens scriptum pervenerit*. Nor does the greeting of Magna Carta agree with the plain *salutem* which is most common in the administrative letters (though *salutem et patris benedictionem* and *salutem et benedictionem* are both found in copies, each once).<sup>2</sup> The text of Magna Carta is loosely constructed, and does not conform very closely to the usual pattern of Thomas's *acta*. The flowery preamble accords ill with the commonplace form of notification which follows; and the various sentences of malediction, confirmation, and exhortation do not hang together happily. 'Huius confirmationis nostre paginam' is an inexact description of the foregoing clauses. Certainly no one would maintain that stylistically the charter makes a harmonious whole. At several points the phraseology is unexpected. It is a strange coincidence that Thomas should in his lifetime speak of risking 'capud et corpus persecutoribus' when his body and the crown of his head were so soon to become separate objects of veneration. Then, again, he places the church of Canterbury under the protection of the Roman Curia, when *apostolica sedes* or *ecclesia Romana* would seem more natural expressions.<sup>3</sup> Such inelegancies as the repetition of 'aliquo integumento vel causa' and of 'molestiam', and the phrase 'cum restitutione ablatorum condignam ecclesie faciat restitutionem' in the *sanctio*<sup>4</sup> do

Saltman had published his work on Theobald, which shows so many genuine acts of Theobald ascribed in cartularies to Thomas. I should also tentatively ascribe to Theobald the following which are not included by Dr. Saltman in his collection, on the grounds that they describe the archbishop as primate: Salisbury, D. & C. Muniments, Liber evidenciarum C, p. 125; Lambeth MS. 241, fo. 37r; Brit. Mus., Add. MS. 40725, fo. 19v and Cotton MS. Tib. E.v, fo. 228v; G. Oliver, *Monasticum Exoniense* (Exeter, 1846), p. 41. It is, of course, possible in any of these nine cases (as also in *Materials*, vi. 589) that the original title of an act of Archbishop Thomas has been retouched by a copyist.

<sup>1</sup> It should not be necessary to underline the fact that at Canterbury in the next hundred years a forger would have much of the collected correspondence at his disposal but few, if any, of Thomas's administrative *acta*.

<sup>2</sup> *Materials*, v. 261 (cf. Saltman, p. 407) and Lambeth MS. 241, fo. 36v.

<sup>3</sup> The term *Curia* is used in Becket's correspondence less to represent the majesty of papal power than to indicate the court in which the business of Christendom was transacted, and the term is often used when the archbishop is dissatisfied: 'Non est mihi propositum ulterius vexandi curiam: eam adeant qui praevalent in iniquitatibus suis' (*Materials*, vii. 280, cf. pp. 282, 284, 291).

<sup>4</sup> The *sanctio*, with its curse and blessing, is not known in any other document of Becket, but such clauses were probably not standardized (cf. Saltman, pp. 212-13). *Acta* of Becket with curses occur in Lambeth MS. 241, fo. 36v (preceded by blessing), *Cal. Charter Rolls, 1327-41*, p. 395; W. Dugdale, *Monasticon*

not inspire confidence. The final *apprecatio*, 'amen', is unusual in Thomas's acts which, when unwitnessed, usually end with 'Valete'.<sup>1</sup> It might be argued, against these objections, that in the troubled last month of Thomas Becket's life, to which this charter must be assigned, some hastiness and lack of care in drafting was to be expected. But Becket had his secretarial staff about him at the time; expert draftsmen were not wanting.

If the formal features of Magna Carta do not enable us to pass a final verdict on the document, they are at least sufficiently irregular to make us alert to notice any other marks of falsity. At the present stage in the enquiry the presumption is that this is not—at least, not in all its details—a genuine act of Archbishop Thomas. An examination of its contents takes us much farther.

In scrutinizing the contents one must bear in mind two facts. First, after the early years of Thomas Becket's pontificate, the archbishop had little contact with the cathedral community until the last month of his life, and since the archbishop did not enjoy his usual revenues or exercise his usual jurisdiction, the opportunities for disagreement which existed under normal conditions were diminished. In other words, the occasion did not arise for many such confirmations, concessions, and compromises, as we find among the *acta* of Archbishop Theobald. Secondly, the immense prestige of the martyr in the generation following his death, and the advantage which the community of Christ Church was quick to derive from it, meant that his name was invoked whenever the liberties of the church of Canterbury seemed to be in danger. To quote Stubbs: 'the martyrdom of St. Thomas, which, if it was an offering at all, was certainly an offering for the immunities of the whole of the clergy, was looked on as the redemption of the church of Canterbury'.<sup>2</sup> In the great collection of *Epistolae Cantuarienses*, recording the disputes between Archbishops Baldwin and Hubert and their cathedral community, the monks' letters abound in references to 'libertates pro quibus gloriosus martyr Thomas occubuit'.<sup>3</sup>

The conditions of the archbishop's return to Canterbury in December 1170 might explain why he was moved to produce a general confirmation of privileges for the community to which he was restored. Even if the form of Magna Carta is peculiar, there is nothing anachronistic in those clauses which protect with anathema the possessions and rights of the church of Canterbury (I, II, VI). The appeal to the monks and bishops

*Anglicanum*, ed. J. Caley, H. Ellis and B. Bandinel (1817-30), iv. 269 (= Bodleian Libr., Bucks. charter 73); Hampshire Record Office, Southwick Priory Register III, fo. 4v.

<sup>1</sup>'Amen, Valete' appears at the end of the copy in Lambeth MS. 241, fo. 36v as in twelwe of Theobald's *acta* (Saltman, p. 223).

<sup>2</sup>*Epistolae Cantuarienses*, ed. W. Stubbs (Rolls Ser., 1865), p. xxxi (hereafter cited as *Ep. Cant.*).

<sup>3</sup>E.g., *ibid.*, p. 505.



to live on good terms with each other (XI) was not inappropriate, and it would be natural for the rights of Thomas's companions in exile to be safeguarded (XII). Clause VIII, which speaks of enemies who threaten to remove the metropolitan and primatial see from Canterbury, recalls the accusations made against Gilbert Foliot of London in Thomas's last years.<sup>1</sup> But, having said this, we have indicated all that does not fall under suspicion. Not only was the pontificate of Thomas devoid of particular incidents which would give rise to most of the remaining clauses: one and all provided matter for very violent disputes between archbishop and convent in the days of Archbishops Baldwin and Hubert. Had the martyr the gift of prophecy? Those disputes, from 1186 to 1200, are recorded with incomparable fullness in the 557 letters of *Epistolae Cantuarienses* and elsewhere; yet nowhere in the legal disputations and the rhetorical appeals of the monks, during these years, is there one single suggestion that the monks could produce in support of their claims a charter given less than thirty years before by the martyr who had become their patron-saint. The only 'confirmation' by St. Thomas they allege is his head.<sup>2</sup> The argument *ex silentio* must always be applied cautiously, but there are some occasions when it is compelling. And to this argument from the letters we may add the statement of the monk-historian Gervase. Archbishop Thomas, says Gervase, 'so long as he lived, did nothing in prejudice of the convent, but showed the monks affection and every favour. . . . He promised indeed that he would honour them more than any of his predecessors; but he was prevented by his martyrdom, and God fulfilled more gloriously what His champion had promised.'<sup>3</sup> Gervase, be it remembered, joined the community of Christ Church while Thomas was archbishop, and wrote his history between about 1188 and 1210.

Clause IV offers a striking example. Here, in confirming the manors and other possessions pertaining to the monks, the archbishop specifies the *exennia* as theirs. These were the offerings made from the monks' manors at Christmas and Easter, and in the time of Theobald they were paid to the archbishop. In the time of Thomas's exile the monks had apparently contrived to get them, instead of the royal custodian of the see; but when in later years the destination of the *exennia* was disputed, it was not

<sup>1</sup>John of Salisbury's accusation is in *Materials*, vii. 10-11. The archbishop's letter (*ibid.*, vi. 591) is less explicit and might mean that Foliot sought to establish a third metropolitan see in London; cf. C. R. Cheney, *From Becket to Langton* (Manchester, 1956), p. 11, n. 2.

<sup>2</sup>'Libertates et privilegia quae beatissimus dei martyr noster Thomas adhuc recenti sanguine cerebri in lapidibus ecclesiae rubricavit' (*Ep. Cant.*, p. 444). 'Quod nos urget acrius, in contentionem iuris ecclesiae nostrae libertates evocantur, pro quibus gloriosus martyr Thomas occubuit. Qui videns ecclesiasticae libertatis dignitatem infirmari, studuit eam in statum debitum revocare, et in eius confirmationem caput proprium allegavit' (*ibid.*, p. 505).

<sup>3</sup>*The Historical Works of Gervase of Canterbury*, ed. W. Stubbs (Rolls Ser., 1879-80), i. 48 (hereafter cited as Gervase).

Thomas but his successor, Richard, who was remembered as having given the monks their legal title. Gervase says of him: 'villarum etiam nostrarum exenia non abstulit sed concessit, quae etiam tunc temporis ecclesia habuit, cum tempore exilii Sancti Thomae tyrannus ille Randulfus del Broch ex praecepto regis exulantis custodiret episcopatum'.<sup>1</sup> Again, in his life of Archbishop Richard, Gervase says: 'exenia quoque reddidit conventui quae de quibusdam villis monachorum solebant sed iniuste archiepiscopo deferri'.<sup>2</sup> Considering that one of the first complaints raised against Archbishop Baldwin was the charge of levying the *exemia*, it is incredible that the writers of the *Epistolae Cantuarienses* should make no reference to Thomas's grant, if Magna Carta were known to them. They content themselves with saying that Baldwin acts contrary to 'scriptis antecessorum suorum authenticis' and 'contra iuris formam et antiquam antecessorum suorum consuetudinem'.<sup>3</sup> The churches on the monks' manors, which are likewise confirmed to the monks by clause IV of Magna Carta, have a similar history. The monks in dispute with Archbishop Hubert in 1198 claimed that the convent had possessed the patronage until the time of Archbishop Theobald. 'The Blessed Thomas', they said, 'wanted to make a composition with the convent about the churches, but impeded by exile and prevented by death he was unable to do so.' It was, in fact, Archbishop Richard who gave back the churches of Eastry, Monkton, Meopham, and Eynsford, as chronicled by Gervase, noted in the Canterbury Martyrology, and confirmed by Pope Alexander III.<sup>4</sup>

Clause VIII, on the threatened transfer of the metropolitan see, has been noted above as compatible with the date 1170, in view of the fears entertained in the archbishop's entourage about the ambitions of Gilbert Foliot. But when it is read in conjunction with the next clause, which safeguards the rights of the prior and convent of Canterbury in episcopal consecrations, it seems to reflect the fear of the monks that the archbishop of Canterbury himself may make another church his metropolitan and primatial see. There is no contemporary evidence that Thomas gave rise to this fear. But within a generation the efforts of Baldwin and Hubert to establish a collegiate church, first at Canterbury and then at Lambeth, caused such a fear, which rapidly amounted to an obsession with the monks of Christ Church. Their dismay led them to produce every possible argument to obstruct the archbishops' intention; yet they never suggested that their blessed martyr had foreseen and specifically guarded against the

<sup>1</sup>Gervase, p. 49.

<sup>2</sup>*Ibid.*, ii. 399.

<sup>3</sup>*Ep. Cant.*, pp. 115, 150, cf. p. 94.

<sup>4</sup>Gervase, i. 48, ii. 399; *Ep. Cant.*, p. 557; *Papsturkunden in England*, ed. W. Holtzmann (Abh. Göttingen Akad., 1930-52), ii. 364 (1178), cf. p. 370 (1179). And see Richard's charters, Canterbury, D. & C. Muniments, Reg. C, fo. 140r (Hist. MSS. Comm., 8th Rept., app. i, p. 328a); Lambeth, Cartae misc. XIII. 15; Brit. Mus., Add. MS. 6159, fo. 287v, etc.

nefarious doings of his successors by a written threat of anathema.<sup>1</sup> It is noteworthy that they repudiated the report put about by Archbishop Baldwin that his desire to establish a prebendal church dedicated to St. Thomas was in line with an expressed intention of St. Thomas to found such a church, dedicated to St. Stephen.<sup>2</sup>

Clause IX is intimately connected with clause VIII. The monks wished all suffragans of Canterbury to be consecrated in the metropolitan church. It is doubtful whether this was a live issue in 1170. In the next century it will be claimed at different times that what Thomas's charter confirmed was 'de iure communi'<sup>3</sup> and 'ex antiqua consuetudine Cantuariensis ecclesie',<sup>4</sup> but both propositions are doubtful. In Gratian's *Decretum* one reads (Dist. 51, c. 5): 'Episcopus autem conprovincialis ibi consecrandus est ubi metropolitanus elegerit; metropolitanus autem non nisi in civitate metropoli.' As for the practice of the province of Canterbury in the century after the Norman Conquest, thirty-nine of the recorded consecrations of archbishops of Canterbury and their suffragans took place at Canterbury; twenty-three are recorded elsewhere, and for eighteen the place is unrecorded. While this does not point to a consistent tradition over the whole period, it does appear that none of the six consecrations which were celebrated between 1152 and 1169 took place outside the cathedral church; and the monk Gervase reports of Archbishop Thomas 'duos interea sacravit episcopos in ecclesia Cantuariensi'.<sup>5</sup> Recent custom, then, was in favour of such a rule in 1170; but there is no reason to suppose that the monks, even if in 1170 they valued the custom, felt that it was in danger. Such apprehension was likely to arise as relations between archbishop and monks deteriorated, and when the archbishops were pursuing their plans for a collegiate church. And this is precisely what happened. Apart from Magna Carta, clause IX, the first mention of this rule about consecrations comes from the period of the great lawsuit.<sup>6</sup> In 1191 the papal legate, it is

<sup>1</sup>The fears of the monks are expressed fully in *Ep. Cant.*, pp. 534-7. An obvious place to refer to Magna Carta cl. VIII occurs on p. 537, but it is not mentioned. Nor does the 'Processus negotii' (pp. 520-30) refer to it. See also Gervase, i. 37, for a statement of the intentions behind Archbishop Baldwin's acts, as interpreted by the monks.

<sup>2</sup>*Ep. Cant.*, pp. 7-8, 17, 248, 421, 556. Geoffrey Ridel, bishop of Ely, formerly archdeacon of Canterbury, recalled Archbishop Thomas saying that he wished to do so (p. 19). The monks denied it (pp. 44-5, 119) and produced two monk-chaplains of the martyr who said that they had never heard him speak of it (p. 135).

<sup>3</sup>*Registres de Grégoire IX (1227-41)*, ed. L. Auvray, etc. (École française de Rome, 1896-1955), no. 2840 (20 Nov. 1235). Cf. below, p. 15.

<sup>4</sup>*Ibid.*, no. 4045 (18 Jan. 1238).

<sup>5</sup>Gervase, ii. 392. The numbers of consecrations at Canterbury given here and further on are based on W. Stubbs, *Registrum Sacrum Anglicanum* (2nd edn., Oxford, 1897).

<sup>6</sup>*Ep. Cant.*, pp. 325, 327-8, 413. Cf. I. J. Churchill, *Canterbury Administration* (1933), i. 285. The account by Gervase of the consecration abroad of Waleran of Rochester (1184) suggests that the monks of Christ Church were already sensitive on this point (Gervase, i. 306-7); but the full and probably earlier account in the

said, was persuaded that consecrations should not take place elsewhere than in the church of Canterbury.<sup>1</sup> Moreover, in this period the proportion of consecrations celebrated outside the cathedral church rises markedly. Between 1169 and July 1214 only twelve bishops are known to have been consecrated in Christ Church; in four cases the place is unrecorded; in thirty-four the ceremony was celebrated elsewhere.<sup>2</sup> If the charter of St. Thomas was at hand to justify the monks' claim, it is strange that it was not, so far as we know, cited.

These are the more significant clauses, but others must be mentioned because they fit into the pattern formed by the rest. Clause III, which objects to the sharing of capitular secrets<sup>3</sup> by others than monks of Christ Church, has no discoverable relevance to the days of Archbishop Thomas; but the admission of the archdeacon of Canterbury to the chapterhouse became a matter for regulation under his successor, as it had been under Theobald.<sup>4</sup> The promise in clause V to allow the monks freedom to appoint and dismiss officials and servants recalls that trouble arose in the time of Baldwin, who appointed a cellarer and sacrist in 1187.<sup>5</sup> The right conferred on the monks by clause VII to appeal to the apostolic see 'contra omnia gravamina' hardly seems to be a matter within an archbishop's competence: it was, in fact, conferred on the monks by the pope in 1179.<sup>6</sup> The provision in clause X that chrism and oil for the province shall only be distributed from the church of Canterbury recalls Baldwin's action in 1187 when he consecrated chrism at London.<sup>7</sup>

The cumulative effect of these facts is overwhelming. The clauses examined raise issues which were not likely to appear of great moment in 1170: but they were so intensely felt by the monks of Christ Church during the last years of the twelfth century that any relevant prescriptions by the Blessed Thomas would have been welcome. Not only did Magna Carta find no mention among the muniments cited in the great lawsuit; the monk Gervase tells us that Thomas intended to do good to the community but was prevented by his martyrdom.<sup>8</sup> The conclusion is irresistible that Magna Carta was not cited then because it did not then exist. It is a forgery, forged by a later generation of Canterbury monks,

*Domesday Monachorum* (ed. D. C. Douglas (1944), p. 107) suggests that the place of consecration was not the main issue: moreover, the evidence for earlier practice was the oral witness of nine old monks, not any charter.

<sup>1</sup> Gervase, i. 487.

<sup>2</sup> In four cases at Rome.

<sup>3</sup> Cf. Gervase, i. 355 (1187).

<sup>4</sup> Saltman, p. 258; *Papsturkunden in England*, ii. 409 (1181).

<sup>5</sup> *Ep. Cant.*, pp. 89, 92-3, 291, 299-300, 316. In their complaint on p. 94 the monks refer to the charters of Theobald and King William and King Henry, but not to any charter of Archbishop Thomas. Cf. *Papsturkunden in England*, ii. 447 (8 April 1187).

<sup>6</sup> *Papsturkunden in England*, ii. 379. Cf. Gervase, i. 35, s.a. 1186: 'misericordes monachi compulsi sunt ab omni gravamine sedem apostolicam appellare'.

<sup>7</sup> *Ep. Cant.*, p. 29.

<sup>8</sup> Above, p. 7.

with ambitions, fears, and grievances unconnected with St. Thomas. The rhetoric of their forebears might encourage thirteenth-century monks of Christ Church to assert in documentary form the privileges for which Thomas was deemed to have died. In the letters of the great lawsuit, which were available to them, they might read how he had rubricated their liberties and privileges with his blood on the stones of the church;<sup>1</sup> and Pope Innocent III took up the same metaphor in the course of Langton's election: St. Thomas, he said, wrote a special privilege for Christ Church, as it were in his blood.<sup>2</sup>

The process of undermining the claim of *Magna Carta Beati Thome* to be an authentic act of Archbishop Thomas has at the same time suggested that it was not produced in the great lawsuit of 1186-1200. When, then, was it fabricated? What later circumstances might have produced such an invention? The latter years of Hubert's pontificate (1201-5) did not provide a particularly suitable occasion. If *Magna Carta* had been composed between Hubert's death and Stephen Langton's election, it would have asserted, we may be sure, the monks' sole right to choose their archbishop, for the suffragans were claiming to participate; but the subject is not mentioned.<sup>3</sup> Thereafter, the monks were probably preoccupied by other matters until Langton gained possession of the see in 1213. During the next fifteen years Langton's pontificate might encourage the monks to strengthen their claims respecting the consecration of suffragans; for a survey of the consecrations celebrated by Langton shows that he only consecrated four suffragans in his metropolitan church (none of them after 1219), as compared with fifteen whom he consecrated elsewhere.<sup>4</sup> But apart from this, there seems to have been no reason why the monks should be apprehensive of Langton's intentions, no suggestion of plans for a rival collegiate church, of appropriation of conventual revenue, of intrusion of seculars into capitular business.<sup>5</sup> The chroniclers do not point to any discord between this archbishop and his cathedral community.

It is therefore surprising to find an indication of *Magna Carta* in a document dated within Langton's lifetime: nothing less than a confirma-

<sup>1</sup>Above, p. 7, n. 2.

<sup>2</sup>'Qui privilegium speciale pro ipsa [ecclesia] quasi sanguine suo scripsit' (*Patrologia Latina*, ed. J. Migne, ccxv. 1048; A. Potthast, *Regesta Pontificum Romanorum* (Berlin, 1874-5), no. 2940, to the prior and convent; repeated in the letter to the king, *Pat. Lat.*, ccxv. 1046; Potthast, no. 2937).

<sup>3</sup>The pope ruled against the suffragans, 20 Dec. 1206 (*Pat. Lat.*, ccxv. 1043); they raised the issue again when Walter of Evesham was elected in Aug. 1228 (Roger Wendover, *Flores historiarum*, ed. H. O. Coxe (Eng. Hist. Soc., 1841-4), iv. 171).

<sup>4</sup>The 'caucio Pandulphi legati de consecratione episcopi Londoniensis', addressed to the prior and convent, undertakes that the fact that he has caused Bishop Eustace to be consecrated elsewhere shall not prejudice them, or their church, or their archbishop: it does not mention St. Thomas (Canterbury, D. & C. Muniments, Reg. A, fo. 63v).

<sup>5</sup>In 1236 the monks complained that Archbishops Stephen and Richard (Blund), like Edmund, interfered in the appointment of officials and servants (below, p. 16).

tion of the charter by a papal letter of 21 January 1228. When in 1276 the prior of St. Gregory's and the dean of christianity of Canterbury inspected Magna Carta, they also inspected this confirmation by Pope Gregory IX. We do not know in what form the documents were presented for inspection: the prior and his colleague do not assert that they bore seals, or say how they determined their authenticity: they may not have insisted on seeing 'originals'. Be that as it may, the *inspeximus* would—if we had the original of it—provide the earliest extant texts of both documents.<sup>1</sup> The papal confirmation of 1228 does not in so many words recite the text of Magna Carta, though a few years later the method of inspection was adopted by the pope in confirming charters of Archbishop Anselm and King William II for Canterbury.<sup>2</sup> Instead, it provides a fairly complete précis of the charter's clauses, introduced by the words: 'Vobis sane ininuantibus intelleximus quod idem martir . . . certa edidit instituta, et confirmavit . . .', etc. From this formula we cannot be sure that the pope was actually shown Magna Carta, in original or in copy; for although *insinuare* could technically refer to the production of a document in court, it could have a more general sense, equivalent to the French *enseigner*.<sup>3</sup> Another doubt arises. This is the one extant letter in a whole dossier of Gregory IX's letters concerned with the privileges of Canterbury which is not in the papal register. It was surely a strange lapse on the part of the monks' proctors in 1228 if they procured so valuable a bull and failed to pay for its registration? Apart from this fact, and the unusual form in which the confirmation is cast, the letter has another feature which, though of itself hardly worth remark, must, in view of these other points, be taken into account: the address reads 'dilectis filiis priori et conventui ecclesie Christi Cantuariensis'. The title is familiar enough in letters of the time, for example in those of Archbishop Edmund and the legate Otto; but the words 'ecclesie Christi' were seldom used in letters emanating from the

<sup>1</sup> Above, pp. 1, 2. It should be observed that the *inspeximus* does not survive in original. A copy of the papal letter of 21 Jan. 1228 is in Lambeth MS. 1212, p. 259 with the significant note: 'Istam non habemus sed monachi habent'; it is also copied into the archiepiscopal register of Thomas Arundel, vol. i, fo. 10r (Lambeth) and in several registers at Canterbury: Reg. A, fo. 46r, Reg. I, fo. 47r (formerly 60), Reg. O, fo. 160r (formerly 360); also in Lambeth, Cartae misc. XIII. 6 (ii). For text see appendix.

<sup>2</sup> 1 July 1236: Reg. Grégoire IX, nos. 3233-5; C[al.] P[apal] L[etters], i. 155. Copies are in Lambeth MS. 1212, p. 255.

<sup>3</sup> See the full text below, p. 24. Copies of valuable or fragile muniments were sometimes sent to Rome in place of originals: *Historians of the Church of York*, ed. J. Raine (Rolls Ser., 1879-94), ii. 204; *Historia et cartularium monasterii S. Petri Gloucestriae*, ed. W. H. Hart (Rolls Ser., 1863-7), iii. 10-17; *Historiae Anglicanae Scriptores X*, ed. R. Twysden (1652), col. 1833, 1867; *Ep. Cant.*, pp. 96, 417. For the meaning of *insinuare* cf. Lyndwood's gloss on a canon of Archbishop John Stratford: 'Insinuatione. id est Apud acta iudicis publicatione vel transumptione' (*Provinciales*, 3, 13, 6 (ed. 1679), p. 181a). In the preambles to papal letters of this period the word seems to refer simply to the presentation of a written petition.

chancery of Pope Gregory IX.<sup>1</sup> It is arguable that since the letter only exists in late copies, the familiar words crept in through the carelessness of a Canterbury scribe, just as some copies of genuine charters of Henry I received the addition 'dei gratia' to the king's title; but this is not particularly plausible when one remembers that in this copy we are dealing with a formal *inspeximus* of the papal bull. Doubt arises, therefore, whether the papal bull is genuine and whether, if forged, it was composed in 1228 or at some later date. An apparently authentic document of 1229<sup>2</sup> at first sight speaks in favour of authenticity. It is letters patent of Robert Bingham, certifying that he has been consecrated bishop of Salisbury at Wilton because of his infirmities, that

in confirmatione domini pape Gregorii noni quam indulsit predictae Cantuariensis ecclesie monachis perspeximus contineri quod non nisi in ecclesia Cantuariensi eius suffraganei consecrentur, sicut ex ipsa confirmatione manifestius apparet

and that therefore the consecration was only celebrated at Wilton with the consent of the monks and without prejudice to their church. If the letter of Pope Gregory IX which was shown to the officiating bishops in May 1229 was the confirmation of 21 January 1228 now in question (whether or not it was genuine), it bears witness to the existence before May 1229 of Magna Carta in some form or other.<sup>3</sup> But if Magna Carta existed in 1229, it is strange that we should hear no more about it for six more years, and that when, on 20 November 1235, the monks obtained papal confirmation of their say in the consecration of suffragans, they did not cite Magna Carta, as they did three years later.<sup>4</sup> If Magna Carta did not exist in 1229, it is hard to see how the papal letter shown to the bishops in May can have been the existing confirmation of 21 January 1228. They may have

<sup>1</sup>There are four in Gregory IX's register: nos. 1807 (9 Feb. 1234, for St. Martin's, Dover), 3232 (1 July 1236), 3303 (23 Aug. 1236, addressing the prior of Christ Church with others), and 3430 (9 Jan. 1237); no. 1652 (22 Dec. 1233) is 'capitulum Cant.' and no. 5307 (8 Nov. 1240) 'capitulum ecclesie S. Trinitatis Cant.'. Honorius III, who on one occasion addressed the prior and convent 'ecclesie Christi Cant.' (3 Dec. 1220), a few days later (in connexion with the translation of St. Thomas) addressed them as prior and convent 'ecclesie S. Thome Cant.' (18 Dec.: *Regesta papae Honorii III*, ed. P. Preasutti (Rome, 1888-95), nos. 2813, 2884).

<sup>2</sup>Brit. Mus., Add. Ch. 16354, folded at foot, with slit for sealing double queue. 14th-century endorsements include: 'Cautio R. Sar' episcopi de consecratione sua extra Cant' de assensu nostro'. The ceremony took place on 27 May 1229, performed, as stated in the preamble, by Bishops Jocelin of Bath and William of Worcester on a commission from Master Richard, the elect of Canterbury. Similar cauciones of the officiating prelates and of the dean and chapter of Salisbury were copied with this in Canterbury, D. & C. Muniments, Reg. A, fo. 66r and Chartae antiquae, C. 120, m.2.

<sup>3</sup>Even if the papal letter of 21 Jan. 1228 was genuine, it does not follow that the pope had actually seen Magna Carta or that an 'original' of that document had been composed at this date; but the substance of its terms must already have been thought out to provide the material for the papal letter.

<sup>4</sup>See below, pp. 14, 16-17.

been shown a genuine letter of the same date or a forgery; it may have been an original or a copy. There was no need for it to be so elaborate as the existing bull or for it to mention St. Thomas: it merely had to safeguard the monks' say in the consecration of suffragans. To Jocelin of Bath, one of the officiating bishops, there would be nothing strange in this. Had not he been obliged to recognize the rights of the prior and convent when he was consecrated at Reading in 1206?<sup>1</sup>

The evidence for the existence of Magna Carta in 1227<sup>2</sup> or in 1229 is so inconclusive that the enquiry must be pursued to find more certain traces. In passing, we may remark that on 20 July 1231 Gregory IX granted the prior and convent of Canterbury, at the king's request, that notwithstanding lapse of time, they might use certain privileges and indults, given by popes and by their archbishops, which because of impediments they had not used. This grant was renewed by the pope on 3 January 1236.<sup>3</sup> By the time of this renewal Edmund of Abingdon was archbishop (consecrated on 2 April 1234). Metropolitan and monks were once more involved in unhappy wrangling, of which a monastic partisan has written a long account in continuation to Gervase of Canterbury.<sup>4</sup> Here it is unnecessary to re-tell the whole story; but it is significant that the subjects of dispute in the early stages (between 1234 and 1238) revived the issue of the time of Baldwin and Hubert, and that this time, unlike the previous occasion, the authority of St. Thomas was invoked.

In June 1235 Edmund alarmed the prior and convent of Christ Church by consecrating Robert Grosseteste as bishop of Lincoln and Hugh as bishop of St. Asaph, at Reading instead of Canterbury.<sup>5</sup> The monks got a written pledge from the archbishop that this was only permissible with their assent.<sup>6</sup> They went further, and on 20 November 1235 got confirmation of their right, with special reference to this incident and to

<sup>1</sup>Hist. MSS. Comm., 8th Rept., app. i, p. 320b.

<sup>2</sup>I.e., before it could be used in Rome to obtain a confirmation on 21 Jan. 1228.

<sup>3</sup>Reg. Grégoire IX, nos. 694, 2892; C.P.L., i. 128, 149. Copies are at Canterbury: D. & C. Muniments, Reg. A, fo. 38r (formerly 45) and Reg. I, fo. 55r. This recalls Eadmer's story about the intensive search of the Christ Church archives undertaken in 1120, which led to the 'discovery' of the primacy privileges produced at Rome in 1123 (see R. W. Southern, 'The Canterbury forgeries', *Eng. Hist. Rev.*, lxxiii (1958), 217-24). Perhaps a similar search was being undertaken with similar 'discoveries' in view.

<sup>4</sup>Gervase, ii. 130-85, cf. Stubbs, *ibid.*, i, pp. xx-xxi. See a modern account in W. Wallace, *St. Edmund of Canterbury* (1893), ch. xviii, and for a shorter and more recent statement, C. H. Lawrence, *St. Edmund of Abingdon* (Oxford, 1960), pp. 164-8.

<sup>5</sup>See Grosseteste's letter, written beforehand to the archbishop, dwelling on the unnecessary offence this would give to the monks of Canterbury (*R. Grosseteste . . . Epistolae*, ed. H. R. Luard (Rolls Ser., 1861), pp. 54-6; cf. F. S. Stevenson, *Robert Grosseteste* (1899), pp. 114-17).

<sup>6</sup>Canterbury, D. & C. Muniments, Reg. A, fo. 62r (formerly 69), Reg. I, fo. 97r (formerly 110), Reg. O, fo. 185r (formerly 387), *Chartae antiquae*, C.120; Lambeth, Reg. T. Arundel, vol. i, fo. 10r; Brit. Mus., Add. MS. 6159, fo. 288r.



Edmund's pledge, from Pope Gregory IX.<sup>1</sup> The indult makes no reference to the pope's earlier confirmation (21 January 1228) of St. Thomas's charter, and does not mention St. Thomas, but asserts the convent's right 'de iure communi et indulgentia speciali ab apostolica vobis sede concessa'. But if the monks' proctor at the Curia or the papal chancery clerks did not see fit to refer to St. Thomas's charter, the monks had evidently impressed Robert Grosseteste with the fact of its existence. The *caucio* which he gave on the occasion of his consecration reads:<sup>2</sup>

Quia in carta gloriosi martiris Thome auctoritate domini pape Gregorii noni confirmata, sicut ex ipsa confirmatione plenius apparet, specialiter hec perspeximus contineri quod suffraganei Cantuariensis ecclesie alibi quam in ecclesia Cantuariensi cui tenentur ex professione et debita subiectione nullatenus consecrentur, nisi de communi assensu totius capituli monachorum Cantuariensium, nos non nisi de predictorum monachorum assensu requisito et per venerabilem patrem nostrum Edmundum dei gratia Cantuariensem archiepiscopum obtento munus consecrationis ab eodem et a venerabilibus fratribus nostris videlicet I. Bathoniensi, R. Saresbiriensi, R. Londoniensi, H. Eliensi, R. Herefordensi apud Rading' obtinuimus. In cuius rei testimonium sigillum nostrum huic scripto apponi fecimus.

It is to be noted that Grosseteste uses the very words of clause IX of the charter; on the other hand, he does not say that he has seen the charter, but implies that he is persuaded of its contents by the confirmation of Gregory IX. The Great Charter is indeed elusive!

What prompted the monks' next move is unknown, but within a month of obtaining the papal indult regarding consecrations they got a papal mandate to judges delegate to hear their action against Archbishop Edmund for the recovery of what they claimed as their rights in the advowsons and *exennia* of the monastery's manors.<sup>3</sup> In the course of this case the charter of St. Thomas emerges unquestionably from the earlier obscurity. Royal writs of prohibition enabled Edmund to evade the formal process in the court of the judges delegate, and at long last an agreement between the parties was reached out of court in December 1237.<sup>4</sup> The archbishop had made some concessions, but the arrangement provided for ratification of the terms by pope and king.<sup>5</sup> Whether either of the parties

<sup>1</sup>Reg. Grégoire IX, no. 2840 ('Cum sicut asseritis'); C.P.L., i. 149. Also in Canterbury, Reg. A and Chartae antiquae, C.120 and in Lambeth, Reg. T. Arundel as above, p. 14, n. 6. For text see appendix.

<sup>2</sup>Canterbury, D. & C. Muniments, Chartae antiquae, C.120, m.1 (a 15th-century roll). Wharton apparently saw the original *caucio* with Grosseteste's seal attached: his transcript is in Lambeth MS. 582, p. 62.

<sup>3</sup>The mandate (Viterbo, 22 Dec. 1235) to the abbots of Boxley, St. Radegund's (Bradsote), and Lessines is not in the papal register. It is included in the judges' report printed from Canterbury, D. & C. Muniments, Chartae antiquae, A.168 in Wallace, p. 488.

<sup>4</sup>Printed by Wallace, pp. 495-8. Texts are in Canterbury, D. & C. Muniments, Reg. A, fo. 174v and Reg. E, fo. 63v.

<sup>5</sup>Gervase, ii. 131.

had come to agreement in perfect good faith is questionable. The archbishop immediately set out for Rome, accompanied by the archdeacon of Canterbury, Simon Langton, his monk-chaplain Eustace, and clerks. Representatives of the prior and convent also went, apparently to reopen their case against the archbishop.<sup>1</sup> They had reason to be nervous, for Edmund's actions during his long sojourn in the Curia threatened their pretensions at various points. On 14 April 1238 he obtained an indult to consecrate bishops outside Canterbury when urgent need required, notwithstanding the grant which he had made to the monks and which the pope had twice confirmed.<sup>2</sup> On 17 May 1238 the pope informed the legate Otto, in England, that the archbishop had asked permission to found a collegiate church and endow it, and that the proctors of Christ Church opposed it, saying that they had other muniments at home, besides the award of 1200 recorded in the register of Innocent III.<sup>3</sup> Battle was being joined on the old issue.

But it is time to see how Magna Carta comes into the litigation. If it was available, it was bound to be a major weapon in the monks' armoury. It was alleged in the monks' *libellus*, when they sued before the judges delegate for advowsons, *exennia*, etc., in 1236. This document, drawn up before 10 May 1236, complained against the archbishop

quod cum [prior et conventus] liberam habere debeant potestatem ponendi et amovendi officiales et servientes suos tam intus quam extra, vos et predicti predecessores vestri [Stephanus et Ricardus] iniuste impedivistis eos, in eorum grave preiudicium, quominus predicta potestate uti possent, sicut ponendi pro voluntate sua tres officiales et eisdem amovendi, videlicet sacristam, celerarium, et camerarium, item tres servientes, videlicet duos ianitores, sicut unum ecclesie et alterum curie, et senescallum in aula, et sic veniendo contra cartas et concessionibus predecessorum vestrorum et precipue contra cartam sancti Thome martiris.<sup>4</sup>

A trace of the charter in the Curia is also found during these years, in January 1238, when the privilege concerning consecration of suffragans is said to be claimed by the monks 'ex antiqua consuetudine Cantuariensis

<sup>1</sup>The proctors' objections are reported in a papal letter to the legate Otto, 26 May 1238 (*Reg. Grégoire IX*, no. 4363; *C.P.L.*, i. 174); cf. letter of 8 Nov. 1240 (*Reg. Grégoire IX*, no. 5307; *C.P.L.*, i. 192).

<sup>2</sup>*Reg. Grégoire IX*, no. 4339, not printed; *C.P.L.*, i. 173. Texts are in Lambeth MS. 1212, p. 260, Lambeth, Reg. T. Arundel, vol. i, fo. 10r, Cambridge, St. John's Coll. MS. N. 6, fo. [4v]. The pope had renewed his confirmation as recently as 28 Jan. 1238 (*Reg. Grégoire IX*, no. 4045, misdated 'xv kal. Feb.', not printed; *C.P.L.*, i. 167; Lambeth, Reg. T. Arundel, vol. i, fo. 10r); for texts, see appendix. The letter of 14 April was followed by a complementary grant that the archbishop might wear the pallium when consecrating bishops outside the province of Canterbury (26 May 1238: *Reg. Grégoire IX*, no. 4361, not printed; *C.P.L.*, i. 174; Lambeth MS. 1212, p. 265).

<sup>3</sup>*Reg. Grégoire IX*, no. 4345; *C.P.L.*, i. 173. For the award of 1200 see *Ep. Cant.*, p. 517 (cf. Potthast, *Regesta*, no. 1386).

<sup>4</sup>Wallace, p. 488, from Canterbury, D. & C. Muniments, Chartae antiquae, A.168, which I quote.

ecclesie et speciali concessione beati Thome martiris vestri archiepiscopi', and as confirmed by Archbishop Edmund.<sup>1</sup> This is in marked contrast to the silence about St. Thomas in the earlier papal confirmation: in 1235 the same claim had been made 'de iure communi et indulgentia speciali ab apostolica vobis sede concessa'. Both the *libellus* of May 1236 and the papal confirmation of 28 January 1238 are best explained on the supposition that Magna Carta was in existence. Part of it had apparently been quoted by Grosseteste in June 1235, but the absence of a reference to it in the papal confirmation of 20 November 1235 suggests that it was not ready to be taken to Rome when that confirmation was sought: it was at that time quietly incubating at Canterbury.

The supposition that 1235-6 was the time of its manufacture is strengthened by a scandal which arose in Canterbury in 1237-8 over a forgery. This affair is reported briefly by Matthew Paris, and with more detail by the continuator of Gervase.<sup>2</sup> Their accounts are supplemented and corrected by several papal letters, by a letter from the archbishop's officials to the papal legate, Otto,<sup>3</sup> and by a badly damaged record of an enquiry conducted by order of the legate in February 1238.<sup>4</sup> Making allowance for incompleteness and bias in these sources, we can form some ideas about the emergence of Magna Carta; but no certainty. When people implicated in a fraud tell their story we cannot accept it with full confidence.

In the course of the years 1236-7, when the prior and convent of Canterbury were suing the archbishop before judges delegate, a monk of Christ Church, Ralph of Orpington, revealed to the archbishop that he had been concerned in forgery.<sup>5</sup> The forgery related to a charter of St. Thomas, which we believe to be Magna Carta. According to Brother Ralph, he had been called in by the prior, John of Chetham, to help in its production after the sacrist and keeper of muniments, Brother Simon of Hartlip, had an accident with a genuine original charter of St. Thomas. Simon, when he eventually confessed to a part in the fraud,<sup>6</sup> told the chapter that messengers from Rome had brought back to him charters which had been sent there for preparing the monks' lawsuits. He picked up the charter of St. Thomas carelessly, and inadvertently tore the document from the seal. Much concerned at the mishap, he told the prior. The prior, as one ignorant of the law, guided by monastic simplicity, advised that the charter be copied word for word. The two then asked Brother Ralph of Orpington to use his skill in attaching the rewritten

<sup>1</sup> See p. 16, n. 2.

<sup>2</sup> M. Paris, *Chronica majora*, ed. H. R. Luard (Rolls Ser., 1872-83), iii. 492-3 and *Historia Anglorum*, ed. F. Madden (Rolls Ser., 1866-9), ii. 411, and more sketchily in his 'Vita Edmundi', ed. C. H. Lawrence, in *St. Edmund of Abingdon* (1960), pp. 254-5; Gervase, ii. 130-3.

<sup>3</sup> See Lawrence, p. 163, from Public Record Office, S.C. 11/159.

<sup>4</sup> Canterbury, D. & C. Muniments, Chartae antiquae, A.227. I am indebted to Dr. William Urry, who discovered this fragment, for kindly bringing it to my notice.

<sup>5</sup> *Ibid.*

<sup>6</sup> Gervase, ii. 131.

charter to the original seal. When the archbishop heard Brother Ralph's story, he was apparently on the point of leaving Canterbury, and he declared sentence of excommunication on any who should dare to forge any charter or privilege or use a forgery and who did not confess their fault within eight days.<sup>1</sup> Although the prior was present, his monastic simplicity did not allow him to regard himself as guilty, and he continued to celebrate the divine office with a clear conscience. But before the archbishop left for Rome, he apparently obtained from the prior his version of the affair and proceeded to absolve both the prior and Brother Simon. They swore that they had not used the rewritten charter and that the rewriting was unknown to the rest of the community, and they destroyed it. All this had happened before the archbishop set out for Rome late in December 1237. He took with him, as far as the abbey of St. Bertin, the expert on seals, Brother Ralph, but for whose confession he would have known nothing of the forgery. But the vindictive prior secured Ralph's return to Canterbury, where he was thrust into prison, and (according to the continuator of Gervase) got leave after a fortnight to betake himself to Melrose Abbey, where he assumed the Cistercian habit. This caused Robert of Abingdon and the archbishop's official to appeal to the legate on Ralph's behalf,<sup>2</sup> and led the archbishop to get papal authority to forbid the prior and convent to punish monks who revealed excesses of their fellow-monks to the archbishop when he held enquiry.<sup>3</sup>

While the archbishop pursued his dispute in the papal Curia during the early months of 1238, the forgery at Canterbury was brought to the knowledge of the whole community. On 20 February Albert, chancellor of Cologne, came down with a commission from the legate to enquire into the business and report.<sup>4</sup> Prior John and Brother Simon told their artless story. The rest of the community vowed that this was the first they had heard of the forgery, and that it had not been used in any litigation or business transaction.

But the frauds of the prior had not been fully exposed. Archbishop Edmund's complaints in the Curia resulted in a papal commission to the legate Otto (22 May 1238),<sup>5</sup> which ordered him to make a thorough

<sup>1</sup> Canterbury, D. & C. Muniments, *Chartae antiquae*, A.227.

<sup>2</sup> Lawrence, p. 163.

<sup>3</sup> 14 May 1238: *Reg. Grégoire IX*, no. 4340, extracts only printed; *C.P.L.*, i. 173. Copied in Lambeth MS. 1212, p. 260 with the note: 'Item habetur duplicata de registro sub bulla Gregorii decimi infra'. Printed from Canterbury, D. & C. Muniments, Reg. A, fo. 32v (formerly 39), where dated 'ii id.', with wrong date (2 Nov.) by Wallace, p. 499, and discussed by him, pp. 282-3.

<sup>4</sup> Canterbury, D. & C. Muniments, *Chartae antiquae*, A.227. This visit was presumably prompted by the letter of Robert of Abingdon and the archbishop's official.

<sup>5</sup> *Reg. Grégoire IX*, no. 4371; *C.P.L.*, i. 174. An abridged, undated version in Gervase, ii. 132. The legate also had to enquire about the archbishop's proposal for a collegiate church at Maidstone, under a commission of 17 May 1238 (above, p. 16).

examination of the muniments of the church of Canterbury, to assign to the archbishop those which concerned him, and to the prior and convent those which concerned them. Those of common interest were to be held by the archbishop.<sup>1</sup> Forgeries, certain or suspect, were to be sent under seal to the pope. This brought the legate, with the archbishop, to Canterbury in autumn 1238. Otto's enquiry confirmed the guilt of the prior and the sacrist in the matter of St. Thomas's charter and uncovered another scandal. For when the archbishop asked to see a privilege of Pope Alexander III which he said he had entrusted to the prior's predecessor, John of Sittingbourne, it could not be found. The monks hesitated, until at length Brother Bartholomew of Sandwich admitted that he had burnt it; and the reason for the burning is given by Matthew Paris.<sup>2</sup> Prior John of Chetham, it seems, 'pietate minus discreta', had secretly erased in this document what was detrimental to the convent's interests and had added favourable words; and because the erasures were bound to be found out and would give the community a bad name for forgery, the privilege was burnt. Whether Matthew Paris's explanation is the right one or not, it provides a reason for the burning of the bull, and that it was burnt there is no doubt. As a result of the legate's enquiry, John of Chetham resigned the priorate into the legate's hands; his resignation was accepted and he went off at once to become a Carthusian monk. Simon of Hartlip likewise transferred 'ad arctiorem ordinem', and Bartholomew of Sandwich was sent by the legate to stay at Westminster Abbey until further orders.<sup>3</sup> We do not know what caused the legate to act so severely as this. Maybe the confessed destruction of a papal privilege counted for more than an allegedly innocent renewal of an archbishop's charter. Be that as it may, it was a drastic purge applied to the convent. Years later, after Archbishop Edmund's death, the convent of Christ Church thought fit to get from the pope a recognition that only three had been implicated in the rewriting and sealing of the privilege of St. Thomas ('in spiritu simplicitatis') and that the rest of the community was blameless. 'As they are ennobled by the glory of the martyr', wrote the pope, 'it is not right that their good fame should be traduced or their innocence suspected.'<sup>4</sup>

Although this incident of the forgery clearly bears on the origin of Magna Carta, it does little more than offer a series of alternatives, which must now be stated and examined: either the 'carta Sancti Thome', which is said to have been rewritten word for word, was Magna Carta or it was not; either Prior John of Chetham and Brother Simon destroyed their

<sup>1</sup>Duplicates were to be shared. The archbishop was to provide the prior and convent with copies of other documents of common interest, when convenient.

<sup>2</sup>Gervase, ii. 133; M. Paris, *Chronica majora*, iii. 492-3.

<sup>3</sup>Gervase, ii. 133-4.

<sup>4</sup>5 Mar. 1241: *Reg. Grégoire IX*, no. 5388; *C.P.L.*, i. 194. Printed from Canterbury, Reg. A, fo. 68v by Wallace, p. 499, whose translation of the last sentence (p. 281) is adopted here. Dom Wilfrid's account of the incident confuses the burnt bull of Alexander III with the charter of St. Thomas (p. 280).

handiwork utterly or they left behind them at least a copy of it; either they had an original, genuine or forged, which (as they asserted) they copied or they invented their 'rewritten' charter; and if they had an exemplar, either they made an exact copy or they introduced interpolations. Balance of probability favours the identification of the forged charter of 1237 with Magna Carta. No other charter of Thomas Becket is known which could have profited the monks at this juncture, and Magna Carta would give them what they wanted. It seems unnecessary to predicate another charter. The one difficulty in making this identification seems to lie in the statement of Albert of Cologne that the prior and Brother Simon destroyed their handiwork. If it was destroyed, how came it to be inspected in 1276? Our reply to this must depend in some measure on our estimate of the contemporary judgment on the prior and his accomplices. If their pose of monastic guilelessness was accepted by the authorities, the latter would suppose that the forgery was a matter of form, that the irregularly sealed document embodied a genuine text of St. Thomas. They would be willing, and indeed anxious, for other copies to be preserved. But, in fact, the prior was apparently convicted of fraudulent intention in the doctoring of the papal bull, and his judges may well have been suspicious about the charter of Thomas: certainly their judgment on all the offenders was severe. It is perhaps most probable that the prior and his accomplices failed to reveal the manufacture of more than one copy and that in this way one survived.<sup>1</sup>

Supposing the forgery to be Magna Carta, was it invented in 1235-6 or at an earlier date? Here, again, there can be no certainty. The most important clauses of Magna Carta are indicated, it has been seen, in a papal letter of 21 January 1228. That would settle the matter if the letter were above suspicion. But the letter is open to suspicion, and the stubborn fact remains that in the next seven years our sources are silent on the subject of any privilege given by St. Thomas. The argument from silence is very strong here; and we must admit that the man who could forge Magna Carta would be capable of forging the confirmation of Pope Gregory IX. It may be that the forgery incubated over several years, and that the papal letter of 20 July 1231 and its renewal on 3 January 1236, which permitted the prior and convent to produce hitherto unused muniments, are signs that the forgery was on its way. The document may have existed in draft long before the bold spirits were found who would try their hand at making an 'original'. Too little is known of medieval forgers in general and of the

<sup>1</sup>One may recall with what complacency a Cistercian abbot of Meaux recorded how, when the first abbot, Adam, surrendered certain title-deeds to Archbishop Roger of York to be burnt, and received compensation in money for what was relinquished, duplicate deeds were kept back by the monks, *ut deus disposuit*, for production on a later day ('*cartae autem originales . . . duplices habebantur . . . una carta originalis de donatione Henrici archiepiscopi et alia de confirmatione capituli in monasterio nostro, ut deus disposuit, fuerant reservatae.*' *Chronica monasterii de Melsa*, ed. E. A. Bond (Rolls Ser., 1866-8), i. 94-5).

habits of Canterbury forgers in particular to admit of certainty; there seems to be no compelling reason for implicating anyone but John of Chetham and his accomplices.

The intriguing questions remain whether the forgers had actually removed a genuine seal of Archbishop Thomas from a genuine document and whether they were working on, and adding to, a genuine grant of much more limited scope. As was remarked at the beginning of this article, parts of Magna Carta are unexceptionable. But whether these parts are traces of an authentic act or merely evidence of the ingenuity of the forgers (thinking to add an air of verisimilitude by introducing, for example, a reference to the fellow-exiles)<sup>1</sup> we cannot say. Enough doubtful matters have been raised.

Confining our conclusions to what is probable, even though not susceptible of absolute proof, the evidence which has been produced seems to establish that Magna Carta Beati Thome was forged in the interests of the monks of Christ Church long after Thomas Becket's death. It was not available to them in the great lawsuit which occupied the last years of the twelfth century and it only emerged clearly into the light of day in the time of Archbishop Edmund. As soon as it was produced it was discredited by the confession of one of the forgers. Put away and forgotten or discreetly suppressed, it was brought out a generation later, and from 1276 onwards was recopied and quoted in the later Middle Ages. It is by no means the most notable of the forgeries for which the monks of Christ Church, over the centuries, were responsible. Compared with the primacy documents forged in the twelfth century<sup>2</sup> and the plenary indulgence forged in the fourteenth,<sup>3</sup> it is historically of slight importance. But equally it is evidence of the incurable corruption which infected splendid, wealthy, and jealous monastic communities like Christ Church. 'Holy Father', said Archdeacon Simon Langton to Pope Gregory IX in 1238, 'there is not a single sort of forgery that is not perpetrated in the church of Canterbury. For they have forged in gold, in lead, in wax, and in every kind of metal.'<sup>4</sup> His outburst was understandable. Those who did these things and condoned them had no common sense of honesty. There is peculiar irony in

<sup>1</sup>The martyr's kinsmen were remembered for a long time at Christ Church; allowances were being made for some of them in 1222 (see Hist. MSS. Comm., 5th Rept., app. i, p. 431b, where dated 1221).

<sup>2</sup>Southern, *ubi supra*, pp. 193-226.

<sup>3</sup>Raymonde Foreville, *Le Jubilé de Saint Thomas Becket du xiii<sup>e</sup> au xv<sup>e</sup> siècle (1220-1470)* (Paris, 1958), pp. 10-11, 131, 136-7. Equally significant, though less far-reaching in their claims, are the Canterbury forgeries of title-deeds which have been discussed in recent years by Dr. Florence Harmer, *Anglo-Saxon Writs* (Manchester, 1952) and by T. A. M. Bishop and P. Chaplais, *Facsimiles of English Royal Writs to a.d. 1100 presented to V. H. Galbraith* (Oxford, 1957). The erasure and rewriting of which Matthew Paris speaks in connexion with the privilege of Pope Alexander III (above, p. 19) is reminiscent of the clumsy tampering with writs of Edward the Confessor and William the Conqueror.

<sup>4</sup>Gervase, ii. 132.

the manufacture of Magna Carta Beati Thome for the purpose of defeating Archbishop Edmund, for the archbishop was in his lifetime devoted to the cult of St. Thomas, and later on the hagiographers drew constant comparisons between Edmund the confessor and Thomas the martyr.

C. R. CHENEY

#### APPENDIX

The text of the charter of St. Thomas which follows is based upon Lambeth, *Cartae miscellaneae* XIII. 6 (ii) [= M], from the archiepiscopal archives, written in 1286, and it has been fully collated with all other texts so far noted: at Lambeth, MS. 1212 (a register of the *see*), p. 258 (= L), and Reg. W. Courtenay, fo. 46v [= W]; at Cambridge, St. John's College, MS. N. 6, fo. [5r] (formerly 14) [= N]; at Canterbury, Dean & Chapter Muniments, Reg. A, fo. 38v (formerly 45) [= A], Reg. A, fo. 61r (formerly 68) [= B], Reg. I, fo. 85v [= J], Reg. O, fo. 159v (formerly 359) [= O], *Chartae antiquae*, C.120, m. 1 [= C], *Chartae antiquae*, C.204 [= D]; at the British Museum, Cotton MS. Galba E. iii, fo. 55r (formerly 54) [= E], Cotton MS. Galba E. iv, fo. 58v [= G].<sup>1</sup> Each text has many errors and an indication of all variants seems neither necessary nor useful. Variants are shown where the M reading is plainly at fault or where other texts give readings which are at least equally plausible.

The four papal letters are all printed from the texts in Lambeth, Reg. T. Arundel, vol. i, fo. 10r. They have been collated with the other texts cited above, but these provide no significant variant.

Punctuation and capitalization of the manuscripts have not been retained, and the use of *c* and *t* is normalized.

#### *Carta beati Thome martiris de libertatibus ecclesie Christi Cantuariensis\**

Thomas dei gratia Cantuariensis archiepiscopus et apostolice sedis legatus omnibus ad quos presens scriptum pervenerit salutem et benedictionem.

Preteritorum casus temporum<sup>b</sup> iccirco litterarum memorie commendantur ut per transacta mala vel presentia futura cautius valeant evitari. Ad omnium igitur notitiam volumus pervenire quod sancta Cantuariensis ecclesia, a cuius uberibus coaluimus, que nos auctore deo licet indignos in id quod sumus promovit, in odium capitis nostri multis calamitatibus et anxietatibus variis usque in septennium<sup>c</sup> pressa est, quod tota fere novit<sup>d</sup> latinitas, et adhuc minis et dampnis innumeris cotidie fatigatur. Que cum sol esse soleat occidentis et in nostris temporibus eius obfuscata est claritas, quodlibet tormentum sed et mille mortis genera, si tot occurrerent, libentius exciperemus in domino quam sustineremus

<sup>1</sup>The last two MSS. were used by Giles (*see* above, p. 1), but described by him as Cotton, Galba A.iii and iv.

\*Title in M, *which continues*: qui fuit cancellarius H. regis secundi quando data fuit carta de ecclesia Dovor' ecclesie Christi Cantuar'.

<sup>b</sup>om. temporum M.

<sup>c</sup>in septennium CEGW, om. in M; in sempiternum ABJLNO; ad sempiternum D.

<sup>d</sup>tota fere novit ACDJLNW, *reading* tuta B; fere novit tota M; fere tota novit EG.



sub dissimulatione hiis diebus mala que patitur. Nos itaque, licet parati simus pro pace ipsius et indemnitatem capud et corpus persecutoribus exponere, et ne pereat vel quid modicum perdat perire, quicquid de nobis contingat, indemnitati tamen eius<sup>f</sup> prospicere volentes in futurum, (I) ipsam ecclesiam cum omnibus personis, terris et tenementis<sup>f</sup>, pertinentiis et proventibus, libertatibus quoque et dignitatibus suis, sub dei protectione et curie Romane et nostra ponimus, prohibentes ex parte dei sub perpetuo etiam anathemate ne quis iura Cantuariensis ecclesie absque consensu totius capituli monachorum Cantuariensium aliquo integumento vel causa alienare presumat. A seculis enim inauditum est quod aliquis Cantuariensem ecclesiam leserit et non sit contritus aut correctus a Christo domino.<sup>1</sup> (II) Raptores igitur et alienatores possessionum, dignitatum et rerum detentores, consentaneos quodque et participes, et quicumque secreta capituli malitiose revelaverit alicui homini<sup>g</sup> usque ad condignam satisfactionem perpetuo anathemate condemnamus. (III) Nec volumus pati ut aliquis alterius professionis vel ordinis secretis capituli misceatur. (IV) Ea quoque specialiter que ad dilectos filios nostros monachos eiusdem ecclesie pertinent, videlicet villas, possessiones earundem<sup>h</sup> villarum et possessionum ecclesias, et exennia cum pertinentiis et proventibus, sicut in suis continentur munimentis<sup>i</sup>, eis in perpetuum confirmamus. Terras etiam et ecclesias pensionales, iura quoque et libertates, et res et quicquid habent vel habituri sunt, eis concedimus et confirmamus. (V) Officialium quoque suorum et servientium ponendi vel amovendi, omniumque que ad eos pertinent, tam intus quam extra, liberam concedimus et confirmamus in perpetuum disponendi libertatem, sicut eis melius et utilius visum fuerit de communi consilio capituli sui, quatinus sicut easdem habemus in possessionibus nostris secundum cartas regum libertates, similem habeamus in portionibus potestatem, salva nobis et successoribus nostris regulari disciplina. (VI) Adicimus ad hec auctoritate qua fungimur et indulgemus ut in malefactores ecclesie, si semel et secundo commoniti noluerint emendare, suspensionis, excommunicationis, et anathematis ferant sententiam; (VII) et ut liceat eis omni tempore contra omnia gravamina sedem apostolicam appellare. (VIII) Et quia minantur adversarii quod sedem metropolitanam vel primatus Anglie que a tempore beati Gregorii pape<sup>k</sup> per sanctum Augustinum in Cantuaria statuta est alias velint transferre, sub perpetuo prohibemus anathemate ne quis hominum aliquo integumento vel causa unquam<sup>l</sup> hoc attemptare presumat. (IX) Prohibemus etiam<sup>m</sup> ne episcopi Cantuariensis ecclesie suffraganei<sup>n</sup> alibi consecrentur quam in ecclesia Cantuariensi cui tenentur ex professione et debita subiectione, nisi de communi consensu totius capituli monachorum Cantuariensium. (X) Nec crisma vel oleum<sup>o</sup> per Cantuariensem provinciam dividendum

<sup>1</sup>Cf. 'Quis enim a seculis in sanctorum sedem, ecclesiam Cantuariensem, tam immerite insurrexit et non est precipitatus ex alto' (*Materials*, vi. 592).

<sup>f</sup>tamen eius BJMNO; tamen ipsius DEGL; tamen causam ipsius A; tam ipsius C; tanquam ipsius W.

<sup>g</sup>add suis CDEGLW, and corr. in N.

<sup>h</sup>homini BCJMNOW; hominum ADEGL.

<sup>i</sup>add -que ACDEGLW and corr. in N.

<sup>l</sup>monumentis M.

<sup>k</sup>om. pape ACDEG; del. pape corr. in N.

<sup>l</sup>vel causa unquam ACDEGLW, -um erased in E; om. BMNO and add vel unquam in margin, corr. in N.

<sup>m</sup>etiam CDEGLW, om. BMO; insuper A, interlined (? original hand) in N.

<sup>n</sup>add vel abbates DEG.

<sup>o</sup>olium M.

aliunde quam ab ecclesia Cantuariensi aliquo tempore percipiatur. (XI) Volumus etiam et obsecramus in domino ut monachi Cantuariensis ecclesie suffraganeis eiusdem ecclesie, episcopis scilicet et abbatibus, omnem reverentiam exhibeant et honorem; ipsi quoque episcopi monachos Cantuariensis ecclesie in vera que deus est diligant caritate. Dignum siquidem est et consensum rationi ut qui eidem ecclesie Cantuariensi<sup>2</sup> debita tenentur ex professione simul et subiectione veram adinvicem observare debeant dilectionem, salva nobis et successoribus nostris debita reverentia et auctoritate. (XII) Clericis quoque et laycis qui coexules nostri facti sunt et participes laboris, omnia iura sua,<sup>3</sup> redditus, et ecclesias confirmamus, et obsecramus in domino ne quis eis iniuriam vel molestiam faciat. Si quis autem hominum huius nostre confirmationis<sup>4</sup> paginam infringere, vel ecclesiam Cantuariensem in aliquo vexare vel diminuere voluerit, vel dilectis filiis nostris monachis aliquam inferre voluerit molestiam, eternam dei et nostram habeat maledictionem nisi ante mortem cum restitutione ablatorum condignam ecclesie fecerit<sup>5</sup> restitutionem. Omnibus autem diligentibus et foventibus eam dei omnipotentis optamus gratiam, et sanctorum omnium qui in ecclesia Cantuariensi requiescunt societatem et nostram donamus benedictionem. Amen.<sup>6</sup>

*Bulla concernens certas libertates ecclesie sancte Cantuariensis*<sup>1</sup>

Gregorius episcopus servus servorum dei dilectis filiis priori et conventui ecclesie Christi Cantuariensis salutem et apostolicam benedictionem.

Cum ecclesiam vestram pro beati Thome martiris reverentia qui eam suo pretioso sanguine consecravit speciali diligamus affectu, eo libentius ipsam super hiis que in ea martir ipse constituit vel concessit eidem debemus et volumus confovere quo favore maiori digna sunt facta ipsius martiris et sincerius diligimus prefatam ecclesiam et eundem martirem devotius veneramus. Vobis sane insinuantibus intelleximus quod idem martir contra alienatores, raptores, et illicitos detentores iurium, possessionum, dignitatum, et aliorum bonorum ipsius ecclesie certa edidit instituta; et confirmavit ipsi ecclesie possessiones et villas cum exenniis et aliis pertinentiis earumdem, iura quoque, libertates, et alia bona sua; Cantuariensibus etiam monachis assumendi sibi servitores et removendi eos libertatem indulxit; atque constituit ut non nisi in Cantuariensi ecclesia suffraganei consecrentur, specialibus constitutionibus editis super libertatibus ipsius ecclesie conservandis. Nos ergo, vestris precibus inclinati, quod super hiis ab eodem martire provide factum est, sicut in eius litteris continetur, auctoritate apostolica confirmamus et presentis scripti patrocinio communimus. Nulli ergo omnino hominum liceat hanc paginam nostre confirmationis infringere vel ei ausu temerario contraire. Siquis autem hoc attemptare presumpserit, indignationem omnipotentis dei et beatorum Petri et Pauli apostolorum eius se noverit incursurum.

Dat' Laterani, xii kal. Februarii pontificatus nostri anno primo [21 January 1228].

<sup>1</sup>For other texts see p. 1, n. 2 and p. 12, n. 1.

<sup>2</sup>eccl. Cant. AEGJM, *transp.* BCDLNOW.

<sup>3</sup>om. sua BMNO, *interlined in B.*

<sup>4</sup>confirm. nostre M.

<sup>5</sup>faciat M.

<sup>6</sup>om. Amen D; *word erased before Amen in N.*

*Bulla concernens consecrationes episcoporum Cantuariensis provincie*<sup>1</sup>

Gregorius episcopus servus servorum dei dilectis filiis priori et conventui Cantuariensi salutem et apostolicam benedictionem.

Cum sicut asseritis et in litteris venerabilis fratris nostri E. Cantuariensis archiepiscopi dicitur consecrationes episcoporum Cantuariensis provincie in ecclesia Cantuariensi de iure communi et indulgentia speciali ab apostolica vobis sede concessa debeant celebrari, et nuper dictus archiepiscopus contra id veniens, de vestro tamen assensu, consecrationem venerabilis fratris nostri Lincolnienensis episcopi suffraganei sui apud ecclesiam de Radinges propter loci vicinitatem duxerit celebrandam, vobis auctoritate presentium indulgemus ut nullum vobis ex consecratione predicta imposterum preiudicium generetur. Nulli ergo omnino hominum liceat hanc paginam nostre concessionis infringere vel ei ausu temerario contraire. Siquis autem [. . . etc.].

Dat' Viterbii, xii kal. Decembris pontificatus nostri anno nono [20 November 1235].

*Bulla ut absque consensu capituli extra ecclesiam Cantuariensem nullus suffraganeus consecratur*<sup>2</sup>

Gregorius episcopus servus servorum dei dilectis filiis priori et conventui Cantuariensi salutem et apostolicam benedictionem.

Cum a nobis petitur quod iustum est et honestum tam vigor equitatis quam ordo exigit rationis ut id per sollicitudinem officii nostri ad debitum perducat effectum. Significastis siquidem nobis quod ex antiqua consuetudine Cantuariensis ecclesie et speciali concessione beati Thome martiris vestri archiepiscopi est obtentum ut suffraganei eiusdem ecclesie sine assensu Cantuariensis capituli alibi quam in Cantuariensi ecclesia non debeant consecrari; et nichilominus venerabilis frater noster Edmundus Cantuariensis archiepiscopus id idem vobis et ecclesie predictae concessit, prout in ipsius litteris inde confectis dicitur plenius contineri. Vestris igitur precibus grato concurrentes assensu, quod super hoc a predictis archiepiscopis pie ac provide factum est vobis et eidem ecclesie auctoritate apostolica confirmamus et presentis scripti patrocinio communimus. Nulli ergo omnino hominum liceat hanc paginam nostre confirmationis infringere vel ei ausu temerario contraire. Siquis autem [. . . etc.].

Dat' Laterani, v kal. Februarii pontificatus nostri anno undecimo [28 January 1238].

*Bulla ut archiepiscopus alibi quam in sua Cantuariensi ecclesia necessitate interveniente suffraganeos poterit consecrare*<sup>3</sup>

Gregorius episcopus servus servorum dei . . . venerabili fratri archiepiscopo Cantuariensi salutem et apostolicam benedictionem.

De omnipotentis gratia sedi apostolice concessum esse dinoscitur ut membrorum eiusdem iustis desideriis et favorem benevolum et provisionis oportune

<sup>1</sup> For other texts see p. 15, n. 1.

<sup>2</sup> See above, p. 16, n. 2. Other texts (all dated 'v kal. Feb.') are in Canterbury, D. & C. Muniments, Reg. A, fo. 62r (formerly 69), Reg. O, fo. 185r (formerly 387), and Chartae antiquae, C. 120, m. 1.

<sup>3</sup> For other texts see p. 16, n. 2.

remedium largiatur. Ex parte siquidem tua fuit propositum coram nobis per te monachis ecclesie Cantuariensis fuisse concessum et a nobis etiam confirmatum quod perpetuis futuris temporibus in ipsa dumtaxat consecrare tuos suffraganeos tenearis. Verum cum observantia concessionis huiusmodi propter varietatem accidentium sicut asseritur absque discrimine non possit aliquando pervenire, nos arbitantes debitum ut super hoc favorem nostrum sentias gratiosum, fraternitati tue quod eisdem suffraganeis alibi quam in ecclesia memorata cum necessitas id urgens exposcerit, non obstante concessione predicta, consecrationis beneficium libere largiaris auctoritate presentium concedimus facultatem. Nulli ergo omnino hominum liceat hanc paginam nostre concessionis infringere vel ei ausu temerario contraire. Siquis autem [... etc.].

Dat' Laterani, xviii kal. Maii pontificatus nostri anno duodecimo [14 April 1238].

# Jeremy Bentham and John Bowring: a study of the relationship between Bentham and the editor of his *Collected Works*

THE REPUTATION of Jeremy Bentham was inflated to enormous proportions by some of his contemporaries and it is not surprising that posterity should have restored it to more modest size. Nevertheless, his writings remain of great interest to students of political theory and it is highly desirable that they should be available in accurate and comprehensive form. Yet for over a century the only large scale collection of Bentham's works has been the edition brought out after his death by his executor, John Bowring, and published in eleven volumes between 1838 and 1843.<sup>1</sup> These volumes have invariably attracted little but contempt. Described on their first appearance by the *Edinburgh Review* as 'incomplete, incorrect and ill-arranged',<sup>2</sup> they were attacked as recently as 1954 by a Benthamite scholar, who condemned Bowring's editorship as outstandingly uncritical and careless.<sup>3</sup> Sir Leslie Stephen considered the memoir of Bentham's life in volumes X and XI as 'one of the worst biographies in the language',<sup>4</sup> an opinion also shared by J. S. Mill and Alexander Bain. Part of the responsibility for this situation must certainly lie with Bentham himself, for the indecipherable scrawl he employed would have taxed the resources of any editor. Yet it still needs explaining how Bentham, who cared a great deal about the influence of his ideas on posterity, could have entrusted his papers to such an unsuitable editor as Bowring appears to have been.

John Bowring was the eldest son of a Unitarian cloth merchant of Exeter. After starting life as a clerk at a local wine merchant's office, he came up to London and eventually set up on his own account as a merchant dealing with the Iberian peninsula in wines and fish. In 1816 he advanced his fortunes by marrying the daughter of a prosperous city merchant. At the same time he began to win a reputation for himself as a traveller and linguist by undertaking extensive journeys across Europe and by publishing a book on Spanish literature and an anthology of Russian verse translations.

He also developed a taste for radical politics and established a correspondence with some of the leading continental liberals. He was ambitious

<sup>1</sup> *The Collected Works of Jeremy Bentham*, ed. J. Bowring (11 vols., Edinburgh, 1838-45).

<sup>2</sup> *Edinburgh Review*, lxxviii, 460. Review by William Empson.

<sup>3</sup> See *Jeremy Bentham's Economic Writings*, ed. W. Stark (3 vols., 1952-4), iii, 50.

<sup>4</sup> L. Stephen, *The English Utilitarians* (3 vols., 1900), i, 225.

and unscrupulous but at the same time a man of high intelligence, varied talents and enormous energy, who was to rise, after many vicissitudes, to high diplomatic position in the Far East.<sup>1</sup> It was in August 1820 that he first met Jeremy Bentham. The Spanish revolution had broken out a few months earlier and Bentham, who was living in retirement at Westminster, was following events in the Peninsula with great interest and receiving enthusiastic accounts of the new régime from a young admirer named Edward Blaquiere, who had hastened out to Madrid. In one of these letters Blaquiere recommended Bowring to Bentham, as a person whose knowledge of Spain entitled him to the notice of all those who were interested in the revolution.<sup>2</sup> Nevertheless, it required three visits to Bentham's house in Queen's Square Place before Bowring was admitted and even then he was not given a very friendly reception. Very soon, however, Bentham began to display a greater interest in his new acquaintance, for Bowring not only promised to ask his commercial agents in Spain to distribute copies of Bentham's works but even offered to write to the president of the Cortes himself, putting him in touch with the philosopher.<sup>3</sup> By the end of the year, Bentham had begun to refer to Bowring in most effusive terms. As he wrote to Blaquiere,

Bowring is in Elysium. He and I are son and father. He is one of the most extraordinary if not the most extraordinary man I ever saw in my life . . . He is the most loving creature God Almighty ever made. I scold him for leaving his wife and child as he does, yet he never leaves me, he says, but in better health as well as spirits.<sup>4</sup>

There is no doubt that Bentham was completely captivated by Bowring. Yet this fact itself is remarkable, for far from being a cold and dispassionate reasoner of the Utilitarian type, John Bowring was a man of narrow education, a writer of verse translations and a member of a Christian sect. Bentham certainly despised Bowring's poetry, declaring his Russian volume, for example, 'a foolish sort of work . . . which he engaged in before he knew me'.<sup>5</sup> But he never allowed his opinions to cloud their personal friendship, and even added his name to the subscription lists of Bowring's many volumes of verse translations.

<sup>1</sup>For details of Bowring's career, see G. F. Bartle, 'The Political Career of Sir John Bowring (1792-1872) between 1820 and 1849', an unpublished London M.A. thesis in the University of London Library. This work contains a full bibliography of Bowring's career down to 1849. For a summary of the thesis, see *ants*, xxxiii. 241-5.

<sup>2</sup>See Bentham to E. Bell, 5 Aug. 1820. London, U[niversity] C[ollege] L[ibrary], Bentham MSS. XIII, 7.

<sup>3</sup>See Bentham to Sir Samuel Bentham, 5 Sept. 1820. British Museum, Add. MS. 33545, fo. 445.

<sup>4</sup>Bentham to Blaquiere, 11 Dec. 1820. U.C.L., Bentham MSS. X, 57. See also Bentham to Sir Samuel Bentham, 29 Nov. 1820. Brit. Mus., Add. MS. 33545, fo. 455.

<sup>5</sup>Bentham to Sir Samuel Bentham, 29 Nov. 1820. Brit. Mus., Add. MS. 33545, fo. 455.

The friendship between Bentham and Bowring was regarded by many of Bentham's other admirers with considerable distrust. The philosopher, James Mill, who had been Bentham's greatest intimate for many years and who still lived nearby as his tenant at No. 1 Queen's Square (which adjoined Queen's Square Place), disliked Bowring from the beginning and soon became involved in serious quarrels with him. The radical politician, Francis Place, whose friendship with Bentham had been particularly close at the time of Bowring's appearance, was equally hostile and many contemptuous comments about Bowring are recorded in his diary.<sup>1</sup> Bentham's two young secretaries, Richard Doane and John Colls, were in no position to criticize Bowring's relations with their master. Years later, however, after he had left Bentham's service, Colls expressed the opinion that 'Bowring made Bentham quite the God of his idolatry . . . perpetually lavishing on him the warmest eulogies and adulation, often too palpable to be endured by any other than the unmercifully bespattered object of them himself'.<sup>2</sup> Bowring certainly lost no opportunity to flatter Bentham's considerable vanity, both with his tongue and with his pen. He also made full use of Bentham's support to get his own way in various disputes in which he became involved. It would be untrue, however, to conclude that all the advantages of the friendship were on one side. If, as Bowring's enemies believed, Bowring was aiming to use Bentham as a stepping stone for furthering his own political ambition, Bentham also secured from Bowring a thousand petty services. Whether it was the translation of Bentham's voluminous correspondence with the liberals of Europe and Latin America, the distribution of his published works, or the editing of his untidy notes, Bowring was always ready to put his resources as a merchant and his skill as a linguist at Bentham's disposal. Indeed, almost from their first meeting, Bowring's counting-house became a clearing-house through which books, pamphlets and newspapers were despatched, on behalf of Bentham, to Spain and many other parts of the world.<sup>3</sup> Each package would be accompanied by a note, scribbled in Bentham's untidy hand across the sheet and along the sides, usually with several illegible

<sup>1</sup>Brit. Mus., Add. MS. 35146.

<sup>2</sup>J. C. Colls, *Utilitarianism Unmasked* (1844), p. 9.

<sup>3</sup>A good idea of Bentham's communications with Bowring can be formed from a diary kept for Bentham by Colls between 1821 and 1825. Almost any early extract will illustrate the point:

'1821 Jan. 23rd, Toreno—took to foreign post a letter of Mr. Bowring respecting J.B.

Jan. 26th, Radical Repub. Bill—Judicial Establishment; A copy of each given by J.B. to Mr. Bowring for the *O Portugues* man, Dr. Rocha.

Jan. 29th, Bowring; took to him for J.B. one set of Fre. Legn. Tables; J.B. on Spain; Anti-Commercial Decree of July 1820.

Jan. 31st, *Not Paul*; To Bowring the prospectus of.

Feb. 2nd, Bowring from J.B.; Blaquier's last letter. Crass of Malta's communication: to J.B.; Took to Bowring for Blaquier, *Fragment on Govt.*' (Brit. Mus., Add. MS. 33563).

postscripts at the bottom. As Bentham admitted to Bowring in one of these notes, 'What I have to pour in upon you, would overwhelm anybody else but you but the shoulders of your mind are borrowed from Hercules. Monster as you are! . . .'<sup>1</sup>

During the next few years, Bowring's influence over Bentham became greater and greater. When, in October 1822, Bowring was arrested and imprisoned in France for subversive political activities, Bentham was horrified and applied immediately to Canning, the Foreign Secretary, to obtain his release. His relief, when Bowring was eventually allowed to return to England, was overwhelming. According to Bowring, he 'seized me and pressing me several times to his bosom, exclaimed, "as the hart panteth for the water-brooks, so panteth my heart for thee, my son".'<sup>2</sup> The climax of this steady advance in Bentham's affections came in 1823, when Bentham appointed Bowring as political editor of the newly launched *Westminster Review*, at a considerable salary. Naturally this appointment gave great offence to Bentham's other disciples. But in spite of the misgivings of the Mills and their friends the new magazine was a great success and, as even J. S. Mill admitted in his autobiography, made 'a considerable noise in the world',<sup>3</sup> though Bowring himself remained unpopular, not least because of the high handed manner in which he treated contributors to the review.<sup>4</sup>

At last, in 1826, a major opportunity to rid Bentham of Bowring's influence presented itself, when Bowring, who had been secretary of the London Greek Committee, formed to assist the Greeks in their struggle against the Turks, became involved in a financial scandal in connexion with the Greek loans. Into the details of this sordid affair it is not necessary to go, but the revelations published by *The Times* and other newspapers made it quite clear that Bowring had acted dishonestly.<sup>5</sup> Consequently, many friends of Bentham wrote to the philosopher warning him against Bowring and pointing out the bad reputation he held even amongst foreign

<sup>1</sup>Bentham to Bowring, Jan. 1821. Letter in my possession.

<sup>2</sup>*Collected Works of Bentham*, x. 534. According to Lady Bowring, Bowring would relate this incident during his later years, 'with a countenance beaming with emotion'. Lady Bowring, 'Memoir of the late Sir John Bowring', in Bowring, *A Memorial Volume of Sacred Poetry* (1873), p. xxix.

<sup>3</sup>J. S. Mill, *Autobiography* (London, 1924), p. 80.

<sup>4</sup>See, for example, Place to Mill, 22 Sept. 1823, after a quarrel with Bowring over Place's 'Panoptikon' article; 'Bowring, like most other men who understand little of what is vulgarly called the human mind, either in relation to themselves or others, gets rid of a difficulty by the imputation of motives'. Brit. Mus., Add. MS. 35145, fo. 94.

<sup>5</sup>For Bowring's speculations in Greek Loan stock, see *Cobbett's Political Register*, vol. ix (1826) quoting *The Times* and other newspapers. See also G. F. Bartle, 'Bowring and the Greek loans of 1824 and 1825', *Balkan Studies*, iii (1962), 61-74. The affair is amusingly described in John Neal's *Wandering Recollections of a somewhat busy life* (Boston, 1869), p. 286 *et seq.* Neal, an American journalist who stayed with Bentham for a few weeks in 1826, considered Bowring 'the busiest of busybodies and the slipperiest'.



liberals, as the result of his financial speculations.<sup>1</sup> It was all of no avail, however, for Bentham refused to listen to any of these detractors. As Place, who had discussed the matter with Mill and other leading Benthamites, shrewdly noted in his diary;

Bowring gives much of his time to him and takes him out with him now and then and for this Bentham undoubtedly owes something to Bowring. Bowring also panders to him, is his toad eater and can therefore command him and as something of the sort is necessary to Mr. Bentham's comfort, to deprive him of Bowring without substituting someone in his stead would, if it could be done, make him unhappy.<sup>2</sup>

It was shortly after this affair that the Mills and Place made a determined attempt to remove Bowring from the editorship of the *Westminster Review*. In spite of its literary success, the magazine had been steadily losing money, until by the end of 1826 the funds provided by Bentham were almost exhausted. It was, therefore, tactfully suggested to Bowring that the *Westminster* could no longer afford a paid editor and he should resign his position. Bowring at first pretended to agree to this proposal. Early in 1828, however, he completely turned the tables on his opponents by arranging, with Bentham's approval, to transfer the ownership of the review to the wealthy radical ex-soldier, Colonel Perronet Thompson, with himself still as editor. The indignation of the Mills, who were only informed of this arrangement after it had been concluded, was considerable and they refused to have anything more to do with the *Westminster*.<sup>3</sup> Bowring, however, went ahead with his plans and the magazine continued under his editorship and Thompson's ownership for the remaining portion of Bentham's life, though it rapidly declined from the brilliance of its earliest years.<sup>4</sup>

In 1828 Bowring's influence over Bentham appeared to be at its height. It is clear, however, that Bowring himself was far from satisfied with his position, for although Bentham could not live for many years longer, the disposal of his property and papers had not been finally settled.<sup>5</sup> Bowring, therefore, began to be even more assiduous in his attentions, devoting whole evenings to recording the old man's dictated memoirs and, when business disasters forced him to dispose of his house at Hackney, taking up

<sup>1</sup>See, for example, Sarah Austin to Bentham, 18 Dec. 1826. U.C.L., Bentham MSS. XII, 358.

<sup>2</sup>Place's diary, 19 Nov. 1826. Brit. Mus., Add. MS. 35146, fo. 58.

<sup>3</sup>Mill, p. 110.

<sup>4</sup>For a detailed study of the *Westminster Review* under Bowring's editorship, see G. L. Nesbitt, *Benthamite Reviewing: the first twelve years of the Westminster Review* (New York, 1934); see also L. G. Johnson, *Colonel Perronet Thompson* (1957), p. 142 *et seq.*

<sup>5</sup>See Place's diary for 9 Aug. 1826, recording a long conversation with Bowring about Bentham's will, which 'Bowring has reasons to fear he has altered and complicated . . .' Place adds, 'Mill and I supposed that he had made Bowring his executor but this does not appear to be the case'. Brit. Mus., Add. MS. 35146, fo. 36.

residence for a time at Bentham's house in Queen's Square Place. But in spite of constant assurances that he intended Bowring to be his executor, Bentham was unable to bring himself to complete his will and the matter was still unsettled when in 1831 he went down with a severe attack of bronchitis. A few months before this event, James Mill had finally vacated the house adjoining Bentham's which he had occupied for many years, and Bowring now lost no time in moving into No. 1 Queen's Square with his large family, so as to be near at hand in case of an emergency. By the end of the year, however, Bentham had recovered and was well enough to receive new visitors, such as the diarist Crabb Robinson, to whom he confided his deep attachment to Bowring.<sup>1</sup>

It was not, in fact, until March 1832 that Bentham had a relapse, and by then Bowring's own circumstances had changed. The return of a whig government to office had given him the opportunity, with the help of Bentham and other radical friends, to secure public employment and he was frequently engaged on long commercial negotiations on the continent, on behalf of the board of trade. It was one such tour of duty in France which now made it impossible for him to be at Bentham's side. Moreover Bentham had begun to share his affection for Bowring with a new disciple, the lawyer Edwin Chadwick, who spent much time assisting the philosopher with his *Constitutional Code*.<sup>2</sup> Whether Chadwick ever threatened to replace Bowring as favourite disciple is extremely doubtful, for Bowring, who had probably introduced Chadwick to Bentham, remained on good terms with him and treated him as an ally against other rivals, such as Bentham's near relations. But it is clear that Bowring was worried lest there should be any last minute pressure concerning his will brought upon Bentham by Chadwick or anyone else. As he wrote to Chadwick from France in March,

... I can hardly find thoughts for any person or thing but our venerable sage and his wishes and thoughts will, I am sure, be a sacred law to all of us. You know all my feelings—and they are reduced to this—that happen what may Mr. Bentham's instructions must be obeyed to the letter—interference with them or intrusion is out of the question. . . .<sup>3</sup>

For two or three weeks Bentham lay dangerously ill. Then in April he seemed to be recovering and Bowring, who had been 'quite ill with anxiety', assured Chadwick that on his return to England he would take the invalid down to the country 'and arrange other plans of enjoyment for him'.<sup>4</sup> But when Bowring arrived back in London in the second half of May, it was clear that Bentham was dying. A final settlement of the will

<sup>1</sup>Crabb Robinson's diary, 31 Dec. 1831. Typescript edition in Dr. Williams's Library, London.

<sup>2</sup>For Chadwick's relations with Bentham, see S. E. Finer, *Life of Edwin Chadwick* (1952), p. 32 *et seq.* According to Chadwick, Bentham had offered him an annual income for life as the official expositor of his teachings.

<sup>3</sup>Bowring to Chadwick, 9 March 1832. U.C.L., Bentham MSS. CLV, 66.

<sup>4</sup>Bowring to Chadwick, 2 May 1832. *Ibid.* CLV, 74.

was hurriedly completed, with the assistance of Chadwick, Bentham's secretary, Doane, and a lawyer named Gregory.<sup>1</sup> The end came on 6 June, when the philosopher died peacefully in the arms of Bowring, who had, in fact, only just got back from a hurried visit to Blackburn, where he was seeking election to parliament.<sup>2</sup>

The death of Bentham might appear to have settled once and for all the disposal of his papers. But this, in fact, was not to be the case. By the terms of his will, Bentham had appointed Bowring as his executor and had left him, in addition to a large number of books and manuscripts, the sum of two thousand pounds to be expended on the publication of a complete edition of Bentham's works.<sup>3</sup> The remainder of his property, however, apart from the donation of various gifts to friends, had been made over to his nephew, George Bentham, who was charged to 'co-operate cordially' with Bowring. George Bentham had never been a particular favourite of his uncle, little of whose reforming zeal he shared. But he had assisted in the arrangement of several of Bentham's works and he therefore decided to challenge Bowring's right to a full publication of the papers, on the grounds that Bentham had intended to limit the power of his executor to such of his writings as could be published for the sum of two thousand pounds.

The possibility of a long and expensive dispute with Bentham's nephew roused Bowring to fury, especially as he was by no means certain that a court case would be decided in his favour. As he assured Chadwick, George Bentham's action was 'a most naked attempt to unhorse the executor and to place himself in the saddle'.<sup>4</sup> Determined to maintain full control over Bentham's papers, he urged both Chadwick and Doane to give him in writing their opinion of the philosopher's intentions. When, however, Chadwick informed him that they wanted to examine the exact terms of the will, Bowring wrote back,

... I rather wished to receive your impressions without a reference to the Will which unfortunately but, I know, necessarily, was hurried too much to be very maturely considered. I mean such as you could have gathered together out of conversations—as you had more intercourse of late than anybody else—my business is to carry into effect Mr. Bentham's *intentions* and that is my PURPOSE. . . .<sup>5</sup>

<sup>1</sup>The will is dated 30 May 1832 but was probably settled a few days earlier, as on 30 May Bowring was in Lancashire.

<sup>2</sup>There is no reference in Bowring's account of Bentham's last moments (*Collected Works*, xi. 76) to the hurried return from Blackburn, but the visit is substantiated by the *Blackburn Gazette* of 6 June 1832. Bentham had recommended Bowring to the electors as 'a fit and proper candidate' to sit in the reformed parliament.

<sup>3</sup>Brit. Mus., Add. MS. 33553, fo. 72; see also *Annual Biography and Obituary*, xvii (1833), p. 365. The will is in Somerset House; a draft copy, with corrections in Bowring's hand, is preserved in U.C.L., Bentham MSS. CLV, 23-35.<sup>6</sup>

<sup>4</sup>Bowring to Chadwick, 29 Oct. 1832. U.C.L., Bentham MSS. CLV, 79.

<sup>5</sup>Bowring to Chadwick, 7 Sept. 1832. *Ibid.* CLV, 78.

It is not known what reply Chadwick made to this request, though the lawyer, Gregory, seems to have expressed some doubts about the result of a chancery suit. These fears, however, were to prove groundless for when, after Place and other Benthamites had tried, in vain, to effect a compromise, the matter was finally taken to court, a decision was given in Bowring's favour, permitting him to go ahead with his plans for the publication of Bentham's papers.<sup>1</sup>

Reference has already been made to the criticism levelled at Bowring for his editorship of the *Collected Works of Bentham*. Yet, ironically enough, Bowring himself had little to do with the arrangement of Bentham's papers, for during this period he was either abroad on commercial missions, including one long absence of a year in the Near East, or occupied with parliamentary duties.<sup>2</sup> The task was, in fact, carried out by various other admirers of Bentham, including Dr. Southwood Smith, who acted as Bowring's representative with the publishers during his absences abroad, the Edinburgh journalist, J. Hill Burton, who also wrote a general introduction to the *Works* (and later published his own selection of *Benthamiana*, dedicated to Bowring), and Bentham's former secretary, Doane.<sup>3</sup> In some cases these duties only involved the reissue of treatises, such as the *Fragment on Government*, which had long been available in single volumes, or the translation of works which had already appeared in Dumont's French editions. Many sections of the *Collected Works*, however, were taken directly from Bentham's manuscripts and it is these sections which have usually attracted most criticism, as some of the editors displayed more enthusiasm than discrimination in carrying out their task. The publication of all this material was entrusted by Bowring to the Edinburgh bookseller, William Tait, who had brought out the Scottish edition of the *Westminster Review*, and it is clear from Bowring's correspondence with Tait, that it was the publisher who was responsible for the detailed arrangement of the eleven volumes, sometimes with unfortunate results.<sup>4</sup> There were two matters, however, which Bowring retained in his own hands. In the first place, it was he who decided which works of Bentham to withhold altogether from the edition, including almost all his religious writings, on the grounds that they were 'too bold and adven-

<sup>1</sup>See the 'award of R. M. Rolfe of Lincoln's Inn to J. Bowring, defendant against George Bentham', 9 Feb. 1835. Brit. Mus., Add. MS. 33553, fo. 72.

<sup>2</sup>The only works of Bentham which it is known for certain that Bowring edited, are the *Observations on the Restrictive and Prohibitory Commercial System*, published in 1821 and reissued in vol. iii of the *Works*, and the two volumes of *Deontology or the Science of Morality*, placed in Bowring's hands before Bentham's death (and therefore exempted from the dispute over the other MSS.), and published in 1834.

<sup>3</sup>This information can be deduced from editorial notes and signatures in the *Collected Works*. See also Doane to William Tait, 15 Jan. 1838. U.C.L., Bentham MSS. CLXXI, 7.

<sup>4</sup>See Bowring's letters to Tait in the Black-Tait MSS., National Library of Scotland, Add. MS. 3713, fo. 76 *et seq.*

turous' for publication.<sup>1</sup> This meant that important aspects of Bentham's thought were completely omitted from the *Collected Works*. Secondly, Bowring himself was responsible for the memoir of Bentham which made up the last two volumes of the *Works* and included extracts from the philosopher's voluminous correspondence. The preparation of this memoir took considerably longer than Bowring had anticipated, and in spite of notices in the press in 1838 announcing that Bowring's 'Life of Bentham' would soon appear, it was not until 1843 that the complete work was published, though extracts from the memoir were serialized in *Tait's Edinburgh Magazine* in 1841-2.<sup>2</sup> As in the case of Bentham's works, Bowring omitted from the memoir many things which he did not want made public, especially about his own relations with the Benthamites, though he took care to portray himself as the old man's most devoted disciple. And there are certainly more anecdotes illustrating the eccentricity of Bentham than there is serious consideration of his ideas. Nevertheless, the memoir succeeds in transmitting something of the quizzical genius of the philosopher, especially in the selection of his letters, and does not entirely deserve the hostile reception it got from the *Edinburgh Review* in October 1843 and has usually received since then.

Six years after the completion of the *Collected Works*, Bowring, who had been radical member for Bolton, resigned his seat in parliament and went out to the Far East as British consul at Canton. Shortly before his departure from England, he handed over the Bentham papers to London University, where they were eventually catalogued by Thomas Whittaker in 1892 and again by A. Taylor Milne in 1937.<sup>3</sup> Bentham's private correspondence with Bowring, however, remained in Bowring's possession and held an honoured place in his library until his death at Exeter in 1872.<sup>4</sup> This correspondence may still be in the hands of his descendants, as there is no record of it having been sold with other of Bowring's papers a few years ago. If it eventually becomes available, more light will be thrown on Bowring's odd relationship with Jeremy Bentham.

G. F. BARTLE

<sup>1</sup>See memoir by L. B. Bowring, in *Autobiographical Recollections of Sir John Bowring* (1877), p. 339. One of the most curious of Bentham's writings, *Auto-Icon, or Further Uses of the Dead to the Living*, was printed privately in a small number of copies in 1842.

<sup>2</sup>See Bowring to Tait, 5 Sept. 1840 and 5 Oct. 1841. Nat. Libr. Scotland, Add. MS. 3713, fos. 104 and 120.

<sup>3</sup>A small number of Bentham's manuscripts, as well as part of his private correspondence, came into George Bentham's hands. These were acquired by the British Museum in 1889 after his death (Add. MSS. 33537-33564). A second edition of Taylor Milne's catalogue was published in 1962.

<sup>4</sup>See Chadwick's correspondence with Bowring's son, John, after Bowring's death in 1872. Chadwick tried, in vain, to get possession of any of Bentham's MSS. and correspondence which had remained in Bowring's hands. \*U.C.L., Bentham MSS. CLV, 111-16.

## The Municipal Corporation Commission and Report, 1833-35

THE CHARACTERISTIC prelude to the large-scale reforms of the Victorian period was the appointment of a royal commission of inquiry. The use of the commission as an instrument of preliminary investigation steadily increased after its revival at the beginning of the nineteenth century,<sup>1</sup> and reached its height during the eighteen-fifties;<sup>2</sup> but it was the reforming whig administrations of the eighteen-thirties which did most to enhance the prestige of the commission, and to bestow on it the position of pre-eminence which it enjoyed during Victorian times. The scope of the reforms undertaken in these years, requiring extensive preliminary investigations, revealed the shortcomings of the select committee of the house of commons for such purposes, and established the royal commission as the more suitable and authoritative instrument. This gradual transition<sup>3</sup> from committee to commission is well illustrated by the appointment in July 1833 of the Royal Commission to inquire into Municipal Corporations of England and Wales, since it replaced a select committee appointed some months earlier for a similar purpose. In this article the establishment and procedure of these inquiries are to be examined; and closely related to this is a consideration of the attitude of contemporary political observers towards the commission itself.

For many years before the appointment of the select committee in February 1833, the corporations, or ruling bodies in the boroughs,<sup>4</sup> had been coming under increasing criticism from various quarters. The Benthamite radicals strongly objected to their predominantly oligarchic character, and local whigs and Nonconformists resented the fact that, in spite of the repeal of the Test and Corporation Acts in 1828, they remained, with few exceptions, excluded from corporations which were still mostly

<sup>1</sup>H. MacD. Clokie and J. W. Robinson, *Royal Commissions of Inquiry* (Stanford, California, 1937), p. 57.

<sup>2</sup>*Ibid.*, p. 79.

<sup>3</sup>The select committee continued to be very frequently used during the 19th century. *Ibid.*, p. 72.

<sup>4</sup>Most corporations properly consisted of a number of freemen—originally members of trade guilds, or companies of the borough—a governing body, magistrates, and various officers, but by 1835, the situation was such that the freemen no longer regarded themselves as being part of the corporation, 'which term, in popular language, was exclusively applied to the ruling body' (H.C. 116, p. 18, par. 17 (1835). XXIII, 18). Even in the few places where the freemen did have some share in the government of the borough, their numbers were very small compared with the total population (H.C. 116, p. 33, par. 72 (1835). XXIII, 33).

tory and Anglican in composition. The demand for the reform of the close corporation was closely associated with the demand for the abolition of the pocket borough; and the Reform Act of 1832, in so far as it achieved the latter object, did much to hasten the achievement of the former. By disfranchisement, and the introduction of the £10 household voter in the boroughs, the Reform Act deprived the corporations of much of the electoral influence which they had previously exercised.<sup>1</sup> In these changed circumstances many corporations lost their patrons, who withdrew the sums which they had previously paid to assist the return of their candidates. As a result, those corporations which had depended on these payments to meet their expenditure were left destitute, and their reform could not be long delayed.<sup>2</sup>

Nevertheless, not all the corporations were 'divorced from their old place in the Parliamentary electoral system'<sup>3</sup> after 1832. Many were in possession of revenues and funds, such as charitable bequests, and had long distributed these in such a way as to influence the conduct of the recipients at elections.<sup>4</sup> The most notorious instance of this practice had been at Leicester in 1826, and it had led to the passing in August 1832 of an Act 'to prevent the Application of Corporate Property to the Purposes of Election of Members of Parliament'.<sup>5</sup> This Act must have had some effect in reducing the practice, but was scarcely likely to eliminate it completely.<sup>6</sup> Indeed, in 1833 *The Times* claimed that:

The most active spring of election bribery and villainy everywhere is known to be the corporation system. The members of corporations throughout England are for the most part self-elected, and wholly irresponsible but to themselves alone. . . . They have abused for base purposes the patronage which they usurped,

<sup>1</sup>The classification of boroughs before 1832 is not easy. E. Halévy, *A History of the English People in 1815*, transl. by E. I. Watkin and D. A. Barker (1924), p. 123, gives 36 corporation boroughs. E. and A. Porritt, *The Unreformed House of Commons* (2 vols., Cambridge, 1903), i. 30, gives 43, and R. Walcott, *English Politics in the Early Eighteenth Century* (Oxford, 1956), p. 15, gives 40. In these boroughs, the corporation alone possessed the franchise. See *ibid.*, pp. 15-17. In other boroughs, the corporation could influence the conduct of the voters, as in some of the freemen boroughs, where the freemen of the borough, in addition to the corporation, possessed the franchise. Here, again, there are discrepancies in the number of such boroughs before 1832. Halévy, p. 124, gives 77 freemen boroughs: Porritt, i. 30, gives 62, and Walcott, p. 18, gives 60.

<sup>2</sup>Porritt, i. 55-6.

<sup>3</sup>*Ibid.*, p. 57.

<sup>4</sup>The Bribery Committee (H.C. 547 (1835). VIII) gives a great deal of information on the subject of corporation influence at elections.

<sup>5</sup>2 & 3 William IV, c. 69 (1832).

<sup>6</sup>See N. Gash, *Politics in the Age of Peel* (1953), pp. 173-4. The continuing existence in the boroughs after 1832 of the ancient right voters, long trained in the habits of corporation corruption, gave the corporations ready material for their attentions in this respect. Particularly notorious were the freemen voters, who retained their rights in perpetuity by the Reform Act, with the exception of those created since 1 March 1832, unless created by birth and servitude, and the non-residents.

and confiscated to their own benefit the funds of which they were lawfully but trustees. There is scarcely an instance of any town sending representatives to Parliament where the mayor, aldermen etc., have not regularly seized upon or clutched at, the nomination of the members; and if induced to it by opposition, where they have not without scruple mortgaged the town estates, or wasted the capital, to find means for the most iniquitous and barefaced corruption of voters. The fact is, that Parliamentary Reform, if it were not to include corporation reform likewise, would have been literally a dead letter, except in so far as the county representation be concerned. . . .<sup>1</sup>

This was, in fact, written after the appointment of the select committee to inquire into the corporations, but is indicative of another point of view from which the need for reform was urged.

The question of municipal reform was thus made urgent by the circumstances arising from parliamentary reform; and this was true not only of the existing corporations. Certain of the boroughs enfranchised in 1832 as parliamentary boroughs had no form of municipal government, and it was clearly necessary to provide them with this. Therefore, in February 1833 Althorp informed the House that the government intended to deal with both aspects of the problem. With regard to the unincorporated towns enfranchised in 1832, he had, he said, a measure to provide them with municipal government in such a state of preparation that it could be brought before the House; but he thought it desirable, for various reasons, to postpone it for the meantime.<sup>2</sup> As far as the existing corporations were concerned, however, Althorp felt that the government should take action quickly. 'The complaints of the malversations of Corporations', he said, 'were constantly and universally heard; and it was therefore undoubtedly a proper time for the House to take the matter into consideration, for the purpose of applying a remedy.' This should 'make the Corporations more popular, and render them more useful'; but, although it would have been expedient for the government to have introduced a Bill on its own responsibility, the complexity of the problem, and the large amount of private property involved persuaded the government that it would be best to submit the matter to a select committee of the House.<sup>3</sup> The committee was to inquire into the state of municipal corporations in England, Wales, and Ireland, 'and to report whether any and what defects exist in their constitutions, and what measures it may be in their opinion most expedient to adopt for remedy thereof . . .'.<sup>4</sup> It was under the chairmanship of Abercrombie, and numbered thirty-three, and later, thirty-seven members.

The committee, however, found its task too extensive for it to complete.

<sup>1</sup>*The Times*, 25 June 1833.

<sup>2</sup>Hansard, *Parl. Debates*, 3rd ser., xv, col. 645. Nothing was done by the government until 22 Aug. 1833, when Brougham introduced a Bill into the Lords. It was, however, dropped. See S. and B. Webb, *English Local Government from the Revolution to the Municipal Corporations Act: The Manor and the Borough, Part Two* (1908), p. 710, n. 2.

<sup>3</sup>Hansard, *Parl. Debates*, 3rd ser., xv, col. 646.

<sup>4</sup>*Annual Register* (1833), p. 337.



Its Report stated that 'it was . . . impossible not to be aware that from the absence of local information the inquiries of the committee must be defective, and that many facts material to be known, must escape unnoticed . . .'.<sup>1</sup> The suggestion that queries should be sent to the different corporations was rejected by the committee 'on the ground that queries could not be framed so as to meet all the various circumstances of the different corporations; that they might have been easily evaded; and that the information must have been partial'. Thus it was decided 'with the almost general concurrence of the committee' to recommend the appointment of a commission. The Report concluded:

If the country is divided into districts the labour will be abridged; the commissioners, being on the spot, will be accessible to those who have important facts to communicate; they will be enabled to command the evidence necessary to decide on the weight of conflicting statements; and they may in a short space of time collect the necessary information more easily and more accurately than it could be obtained by any other proceeding. . . .<sup>2</sup>

This, then, was a clear indication of the limitations of the select committee where an extensive inquiry was required.

The royal commission was appointed in July 1833, an address for its appointment having been formally passed by the house of commons. It appears that Brougham was closely associated with its establishment,<sup>3</sup> and, indeed, he was most likely to be acquainted with its twenty members, who were mostly in the legal profession. The chief commissioner, or chairman, was John Blackburne, member of parliament for Huddersfield, and the secretary was Joseph Parkes, a Birmingham solicitor.<sup>4</sup> The commission was 'to inquire into the existing state of the Municipal Corporations in England and Wales, and to collect information respecting the defects in their constitution . . .'.

In setting out on this task, the commissioners were exploring virtually unknown territory; there was not even a list of towns in which corporations existed.<sup>5</sup> In 1835, Parkes wrote to Brougham, explaining how the commission had been organized. 'On the opening of the Corporation Commission in 1833', he wrote, 'I was much indebted to Mr. Drummond for the result of his experience on the Parliamentary Boundary Boroughs Commission. Much economy of time and superior arrangement of the

<sup>1</sup>*Ibid.*, p. 338.

<sup>2</sup>*Ibid.*, p. 341.

<sup>3</sup>In 1835, Brougham stated in the Lords that he was 'the author of the Commission' (*Hansard, Parl. Debates*, 3rd ser., xxix, col. 1236).

<sup>4</sup>For Parkes's biography, see J. K. Buckley, *Joseph Parkes of Birmingham* (1926). S. J. Reid, *Life and Letters of the First Earl of Durham, 1792-1840* (2 vols., 1906), ii. 70-1, gives an account of Parkes's importance to the whigs in this period. For consideration of the other commissioners, see Webb, p. 714, n. 2.

<sup>5</sup>In 1830, Francis Place had drawn up a motion for Hume for a return of city or borough corporations; this, he wrote, was 'a first step in consideration of the subject, rendered necessary by the fact that no man has any knowledge of 9 out of 10 Corporations' (G. Wallas, *Life of Francis Place* (rev. edn., 1918), p. 83). Parkes appears to have had access to these materials (Webb, p. 717, n. 1).

results of the Inquiry are attained by periodical returns from the Commissioners, and by the adoption of the same forms of procedure; and the labour of the London Board and its officers greatly abridged by the strict enforcement of rules.' Thus in 1833, the chief commissioner sent a printed letter of general instructions to each commissioner, informing him of the objects of the inquiry and of the general powers of the commissioners. He mapped the kingdom into the respective circuits of the commissioners, checking off each part as finished, and strictly enforced a weekly return of progress and expenses. Observance of printed regulations which the commissioners were to follow in their correspondence was likewise strictly enforced. All letters from the secretary, or from the London Board, were passed through a copying press, and the copies arranged in a folio volume and indexed. Different classes of letters were classed in different folders, and each circuit correspondence kept distinct for convenience of reference. Printed forms of circulars were sent by the itinerant commissioners to all official persons in a particular town, announcing their intended visitation, and requesting certain preliminary preparation and information and copies of documents. The commissioners were also encouraged to adopt a uniform scheme of reporting.<sup>1</sup>

The circuits mentioned by Parkes were eleven in number, Midland, Western, South Western, South Eastern, Southern, Northern, North Midland, Eastern, North Western, Home, including towns in the immediate neighbourhood of London, and London itself. London, however, with its dependent companies, was made the subject of a distinct arrangement for purposes of investigation. Two commissioners undertook the inquiry in the first nine circuits, and the Home circuit was reserved for the commissioners who had soonest completed their share of the investigations. As Parkes explained, a circular was sent out before the commissioners arrived in a town, giving a list of sixteen questions,<sup>2</sup> and once in the town, the commissioners held public courts of inquiry, before which witnesses gave evidence.

The commission was thus carefully and minutely organized; as Parkes told Edward Ellice in September 1833: 'I have reduced everything to method, and put them all under printed instructions, the only way, or we should be overlaid here.' As it was, Parkes was kept very busy during the progress of the commission; indeed, he was its directing force, rather than Blackburne. 'My chief Blackburne,' Parkes wrote to Ellice, 'is a strong athletic minded man, not a courtier in manner, but I can get on with him excellently (though many could not) and I take care to preserve the relation of servant and master. He will let me do the work subject to the admission of his prerogative.' An indication of the amount of work with which Parkes had to deal in connexion with the commission is given by a further extract from the same letter to Ellice.

<sup>1</sup>London, University College Library, Brougham MSS. (not yet permanently catalogued), 17 Nov. 1835.

<sup>2</sup>H.C. 116, pp. 13, 14 (1835). XXIII, 13, 14.

I have daily intended writing you [the letter opened] but from 10 till 7 I have been exclusively engrossed on the Corporation Constitutions, where the work is infernal. . . . Our men, an excellent company for Corporation Demoniacs are all now in high work. They meet with no impediment, and in most towns the inhabitants of the Liberal Caste greatly aid them and give scents, besides by much assistance abridging time and labour. . . . The correspondence is most onerous, we have such numerous private communications, most of them locally important—besides of Districts Circuits, all the Commissioners on which don't seem yet to comprehend the virtue of brevity of style and literal observance of instructions. . . . Also by my extensive local connexions in the country towns, I am able to give them most essential local assistance. The most important and popular results will follow this enquiry—most beneficial to the ministry, and useful in accelerating good government. We shall make a point of completing the investigation and the chief country Reports by the meeting of Parliament, so as to legislate *quo tanto*, and any subsequent continuation of the enquiry (incomplete) may be matter of future determination. Next session . . . will be an important era for the Ministry and the Country. . . .<sup>1</sup>

Parkes, however busy, was, it is clear, satisfied with the progress of the commission. He wrote to Brougham in September 1833: 'The Commissioners are making as much progress as we could expect and our returns from them continue equally satisfactory as when I last wrote you.'<sup>2</sup> Again, later in September, Parkes wrote to Brougham:

Such a monsoon of correspondence etc. blows from 9 circuits and Corporators and anti-Corporators that all the week, Sunday included, I have been on the Tread Mill. And if we once allow arrears we shall fall behind your expectation—the expressions of which were gratifying to Blackburne. I will Monday or Tuesday send you a list of the Boroughs visited, by which you will see the progress of the Itinerary. The progress is as rapid as could be expected, consistently with the object of the Commission. The Commissioners are certainly doing well as the Tory Press and the Sooty Sweeps Cobbett and the Standard so abuse us. When they praise us you may have suspicions.<sup>3</sup>

In October 1834, some sixteen months after the commission had been appointed, the work was begun of arranging and ordering the material collected by the commissioners,<sup>4</sup> and throughout the winter of 1834-5, Parkes and Blackburne were occupied with the task of drafting a General Report. As Parkes had foreseen, the evidence was not complete at this time, nor had any of it been circulated among all the commissioners. Parkes was determined to proceed with the Report nevertheless. He wrote to Durham on 29 January 1835:

I was till twelve last night at Blackburne's chambers on our corporation report in which we . . . shall distinctly recommend the 'New Durham

<sup>1</sup>National Library of Scotland, Edinburgh, Ellice MSS. (not yet permanently catalogued), 12 Sept. 1833 (copy).

<sup>2</sup>London, Univ. Coll. Libr., Brougham MSS., 20 Sept. 1833.

<sup>3</sup>*Ibid.*, 28 Sept. 1833.

<sup>4</sup>H.C. 135, p. 1 (1835). XL, 523.

Suffrage<sup>1</sup> for indeed we could get no sufficient electoral body by any other standard. But we have yet to get over some of the Commissioners. All the strong heads and good principles are agreed—but we have a posse of ‘Lord Brougham’s men’<sup>2</sup> and weaker vessels who will hold out. However, a sufficient number I hope will concur to enable us to make a slashing Report by the meeting of Parliament.<sup>3</sup>

The first draft of the General Report was circulated among the members of the commission on 25 February 1835. Less than a month later it had been presented, with modifications, to the home secretary. During this time it had been sent out to the commissioners four times, in varying degrees of revision, and two meetings of the commissioners had been held.<sup>4</sup> In April, the Report and Appendices were made public.

The commissioners had visited 285 towns, and found 246 corporations. By April 1835 all the individual reports had been delivered, with the exception of those on 21 boroughs.<sup>5</sup> Of the reports which had been delivered, 183 were printed in 1835, and were appended to the General Report; the remainder were in course of being printed. The Report explained that ‘the completion of the whole has been delayed by various circumstances’, among which was the death of Whitcombe, one of the commissioners.

It was our intention [the Report continued] to have presented . . . a complete digest of all the facts stated in these Reports, but as such a digest could not be satisfactorily made, until some considerable time after the whole of the particular Reports had been delivered, we have reluctantly abandoned the attempt. We have therefore confined ourselves to a statement, with only a few illustrations, of the results drawn from the inquiries of the Commissioners, and giving a general view of the present constitution of the municipalities, and subsequently pointing out the defects we have found in them. We have reason to believe that the remaining Reports will not affect our conclusions, otherwise than by affording further illustration and confirmation. In this Report the constitution of London has been occasionally referred to, but the importance of that city is so great and its institutions are so peculiar, that it will be necessary to make them the subject of a special Supplementary Report.<sup>6</sup>

The Report, as is well known, made very strong criticisms of the existing corporations. ‘Even where’, it said, ‘these Institutions exist in their least

<sup>1</sup>I.e. household suffrage. Durham had advocated household suffrage in a speech at Newcastle on 19 Dec. 1834. In fact, the Report did not recommend any such specific suffrage.

<sup>2</sup>This presumably refers to those who were in favour of a £10 householder qualification for the municipal suffrage. Lord Brougham’s Bill of Aug. 1833, to incorporate the new parliamentary boroughs, proposed a £10 qualification in the 30 towns to which it was to apply.

<sup>3</sup>Buckley, p. 120.

<sup>4</sup>This follows the account given by Palgrave, one of the commissioners who refused to sign the Report, in his Protest (H.C. 135, pp. 2–3 (1835). XL, 524–5).

<sup>5</sup>H.C. 116, p. 14 (1835). XXIII, 14.

<sup>6</sup>H.C. 116, p. 15 (1835). XXIII, 15. The Report on London was published in 1837 (H.C. 239 (1837). XXV). Palgrave signed this Report.

imperfect form, and are most rightfully administered, they are inadequate to the present state of society. In their actual condition, where not productive of positive evil, they exist, in the great majority of instances, for no purpose of general utility. . . .’ Thus, in conclusion, the commissioners reported that:

there prevails amongst the inhabitants of a great majority of the incorporated towns a general, and, in our opinion, a just dissatisfaction with their Municipal Institutions; a distrust of the self-elected Municipal Councils, whose powers are subject to no popular control, and whose acts and proceedings being secret, are unchecked by the influence of public opinion; a distrust of the Municipal Magistracy, tainting with suspicion the local administration of justice, and often accompanied with contempt of the persons by whom the law is administered; a discontent under the burthens of Local Taxation, while revenues that ought to be applied for the public advantage are diverted from their legitimate use, and are sometimes wastefully bestowed for the benefit of individuals, sometimes squandered for purposes injurious to the character and morals of the people. We therefore feel it to be our duty to represent to YOUR MAJESTY that the existing Municipal Corporations of England and Wales neither possess nor deserve the confidence or respect of YOUR MAJESTY’S subjects, and that a thorough reform must be effected, before they can become, what we humbly submit to YOUR MAJESTY they ought to be, useful and efficient instruments of local government.<sup>1</sup>

The Report was signed by sixteen commissioners; of the original twenty, one had died, one had left the country, and two, Sir Francis Palgrave and T. J. Hogg, refused to sign the Report.

Thus ended the working of the Corporation Commission. To treat the commission, however, in isolation from the controversies which it aroused would be to miss much of its significance for contemporary observers. The commission was, in fact, an extremely controversial body. Of the many disputes which it raised, the basic one was over the question of its legality and compulsory powers. The great majority of the corporations co-operated with the commissioners, who, in 1835, reported that ‘with few exceptions, much readiness has been evinced by the corporate authorities, and also by the inhabitants unconnected with the Corporations, to promote the objects of the inquiry . . .’<sup>2</sup> In fact, only five<sup>3</sup> corporations refused all information to the commissioners, and four<sup>4</sup> assisted in parts of the inquiry, but refused to do so in others. Nevertheless, the critics of the commission made a great deal of this question of legality. In 1835, *The Standard* stated:

If we objected to the Corporation Commission, we objected . . . not on account of the end which it pursued, but because of the illegal and tyrannical means which it employed for the extortion of evidence. We warned the members of

<sup>1</sup>H.C. 116, p. 49 (1835). XXIII, 49.

<sup>2</sup>H.C. 116, p. 15 (1835). XXIII, 15.

<sup>3</sup>Corfe Castle, Dover, Lichfield, Maidstone, and New Romney. •

<sup>4</sup>Arundel, Kingston-upon-Hull, Leicester, and Rochester (H.C. 116, p. 8 (1835). XXIII, 8).

Corporations that it was their duty, as free subjects, to resist the use of these means. . . . The members of Corporations, with three or four honorable exceptions, despised our warning, and by submitting to an invasion of the rights of British subjects . . . abundantly confirmed all our former ill opinion. . . .<sup>1</sup>

Similar arguments, that the constitution of the country recognized no such arbitrary power as that claimed by the Crown of issuing a commission affecting rights and properties without the consent of the houses of parliament, were put forward by Winchelsea and Newcastle in August 1835.<sup>2</sup> And in 1849, J. Toulmin Smith, in his violent denunciation entitled *Government by Commissions Illegal and Pernicious* wrote:

The attempt to make individuals or public bodies lay open their titles to any Commissioners, or any one else, is as dishonest and dangerous as it is in flagrant violation of every just law of any land, and of the direct common and statute law of this land. The Crown has not, and never had or could have, any prerogative enabling it to put any man or corporation to such proof. If it had, it would be but affording an opportunity for confiscation and plunder under the pretence of vindicating the rights of the Crown. Yet such was what this Municipal Corporation Commission was appointed to do, and what it did; and it is what, in various other ways, a centralising Government is now illegally attempting.<sup>3</sup>

Smith quoted the opinions of Sir James Scarlett and Sir William Follett on the matter to support his argument. Scarlett made the point that the house of commons claimed the power 'to enforce, by means of its own privilege, the attendance of witnesses and the production of papers and records before its own Committees of Inquiry'. But, he maintained, 'the House of Commons cannot communicate that power to the Crown'.<sup>4</sup>

In 1835, Brougham defended himself against such attacks. In framing the commission, he had, he said, the best and most approved precedents of a century and upwards as his guide. But

whether the power of the Commissioners [he continued] extended to compel persons to give up papers, and to submit to examination, was a matter standing on a different footing. . . . It was expedient for such a purpose to have the authority and Act of Parliament rather than that of the Crown. He was by no means disposed to say that the Crown had the power to compel persons against their will to answer, or that persons who refused to answer would be committing an illegality; but he knew well enough that other Commissions had been issued of the same sort, and though persons were not compelled to answer, yet they did answer. . . .<sup>5</sup>

The somewhat tentative nature of this statement reveals the uncertainty which existed on the subject in 1835. It was not, indeed, until 1850,

<sup>1</sup>*The Standard*, 10 June 1835.

<sup>2</sup>Clokie and Robinson, p. 82, n. 5.

<sup>3</sup>J. Toulmin Smith, *Government by Commissions Illegal and Pernicious* (1849), pp. 201-2.

<sup>4</sup>*Ibid.*, p. 204.

<sup>5</sup>Hansard, *Parl. Debates*, 3rd ser., xxix, cols. 1097-8.

during the inquiry into Oxford University, that the charge of illegality against the royal commission of inquiry was ruled invalid.<sup>1</sup> Nevertheless, at the same time, the view expressed in 1835 that royal commissions had no powers of compulsion over persons to submit to examination, was also accepted. The commission of inquiry was defined as

a Commission issued by the Crown for the purpose of obtaining information on a matter of public concern, without the assumption of compulsory powers, and whose sole authority is derived from the respect with which it may be expected that a Royal Commission will be treated by Her Majesty's subjects, more especially by public bodies and constituted authorities.<sup>2</sup>

A further charge made against the Corporation Commission was that it represented the centralizing and bureaucratic tendencies of the government. Toulmin Smith developed this theme in his book. The system of commissions, stated Smith, 'forms the one grand characteristic of Whig administration, the mark by which it will be known in history'.<sup>3</sup> The whigs would 'put the whole earth in commission, and deliver over the whole human race saved from the flood to "Inspectors" and "Assistant Commissioners"'.<sup>4</sup> In the formation of the General Board, Smith continued:

as in that of the Commission of Inquiry, care is taken to avoid all those checks and guarantees which the fundamental laws and institutions of the country have provided for the protection of the rights, liberties, persons and properties of the people; and that the nomination shall be entirely under the control and patronage of the Government itself. Its members are thus entirely irresponsible to that public who has only to pay their salaries and submit to their dictation. Thus is the land covered with Commissions of everything under the four winds of heaven, and Inspectors of every probable and possible 'misery of human life. . .'.<sup>5</sup>

A further implication of this criticism was that commissions merely gave the government an opportunity to distribute patronage and sinecures.<sup>6</sup>

In much of the argument about the validity and value of commissions, a distinct political, or partisan, element was involved; and the Municipal Corporation Commission, far from being an exception in this respect, was perhaps the most outstanding example. The question of the partiality of the commission was a major source of dispute, and was first raised with regard to its composition. The great majority of the commissioners were Benthamites, 'personal Radical friends'<sup>7</sup> of Joseph Parkes, who described

<sup>1</sup> Clokie and Robinson, p. 82.

<sup>2</sup> *Ibid.*, p. 86.

<sup>3</sup> Toulmin Smith, p. 20. This neglects the fact that commissions had been frequently used since the beginning of the 19th century.

<sup>4</sup> *Ibid.*, p. 13.

<sup>5</sup> *Ibid.*, pp. 18-19.

<sup>6</sup> For treatment of such criticisms, see Clokie and Robinson, pp. 88-96.

<sup>7</sup> Nat. Libr. Scotland, Ellice MSS., 12 Sept. 1833 (copy). There appear to have been only two commissioners who were not radicals: John Drinkwater, and Sir Francis Palgrave. Palgrave, however, 'had already committed himself by advocating the reform of the corporations.' See B. Keith-Lucas, *The English Local Government Franchise* (Oxford, 1952), p. 49.

the majority of them as 'Balloteers', and assured Francis Place that they would do their duty.<sup>1</sup> Place, in reply, commented: 'What . . . you and most of the Commissioners will do *I know well enough*.'<sup>2</sup> Parkes described Blackburne as 'an excellent rad. Ballot etc.'<sup>3</sup> and told Ellice that he had 'a good natural ferocity towards Corporators'.<sup>4</sup> Moreover, at the time of his appointment to the commission, Parkes's own views on the unreformed corporations were well known. In 1827, he had made a sharp attack on them in his pamphlet *The Governing Charter of the Borough of Warwick*, and even after his appointment as secretary to the commission, his correspondence shows that his mind and ideas were already made up. He told Place that he was 'sticking to the *rascally Corporators*', and that he thoroughly understood 'the municipal question—what our civic institutions are and what they should be'.<sup>5</sup> On 16 December 1833, Parkes wrote again to Place in much the same vein:

Now know you, that altho' I am Secretary to the Corp[oration] Commission no man or set of men is 'master' of my mind or opinions, or ever will be; and the latter are too maturely formed to be much changed, tho' I shall always change such as I may on reflection deem erroneous.<sup>6</sup>

As might be expected, many Tories strongly objected to the appointment of such men to the Corporation Commission. In 1835, Lord Lyndhurst spoke in the Lords about the commissioners. 'In the appointment of Commissioners', he said, 'their Lordships would require that [they] should be men free from all imputations and suspicions of partiality—free from all party motives. . . .' He then named the commissioners, and pointed out that most of them were Whig, and sometimes 'something more'.<sup>7</sup> Also in 1835 Wellington wrote to Croker, saying that it might have been expected that the inquiry would have been entrusted to men of the highest character in the legal profession,

who would have sought for the information from all capable of giving any, and would have avoided to give credit and accuracy to the idle gossip which they were certain of hearing in each of the Corporations, and would have reported such facts as were important with the Evidence which existed of their truth. . . .<sup>8</sup>

Again, the *Quarterly Review* suggested that one reason for the selection of such persons was that most were dissenters. 'It was bad enough to have composed the Commission,' it said, 'of men who . . . were considered as belonging to the political party that had already denounced and doomed the corporations, it was monstrous to superadd so large and above all so *influential* a proportion of religious hostility. . . .'<sup>9</sup>

<sup>1</sup> British Museum, Add. MS. 35149, fo. 234.

<sup>2</sup> *Ibid.*, fo. 236.

<sup>3</sup> Nat. Libr. Scotland, Ellice MSS., 12 Sept. 1833 (copy).

<sup>4</sup> Brit. Mus., Add. MS. 35149, fo. 234.

<sup>5</sup> Hansard, *Parl. Debates*, 3rd ser., xxxix, cols. 1390-1.

<sup>6</sup> Brit. Mus., Add. MS. 38078, fo. 64.

<sup>7</sup> *Quarterly Rev.*, liv (1835), 234-5.

<sup>8</sup> *Ibid.*, fo. 234.

<sup>9</sup> *Ibid.*, fo. 245.



The charge of partiality was also made of the way in which the commission was conducted. When the Lords took evidence on the subject in August 1835, the town clerk of Coventry, Carter, stated that he felt that the commissioners, when visiting the town, appeared to take down everything which militated against the corporation; this, he claimed, was the opinion of persons on both sides of the question.<sup>1</sup> Carter also complained that the commissioners had received evidence from a person named Marriott, who had been discharged from the office of the town clerk.<sup>2</sup> Woodcock, another witness on Coventry appearing before the Lords, also complained of unfair treatment. When he attempted to remonstrate against the evidence of a witness, who was hostile to the corporation, being taken, he stated that he was told to sit down and be quiet; he received the same answer, he said, when he pointed out to the commissioners that persons opposed to the corporation were allowed to speak.<sup>3</sup>

There were also complaints that the commissioners conducted the inquiry unfairly in Leicester. They dined with local reform leaders on the first evening of their visit,<sup>4</sup> and Charles Meredith, an inhabitant of Leicester of forty-five years' standing, stated before the Lords in 1835 that witnesses favourable to the corporation were examined more closely than those who were unfavourable. The court, he said, was very full, and when parties came to give evidence on behalf of the authorities and magistrates, there was noise and disturbance. Invectives came from the parties that were hostile to the town and corporation, who were collected in numbers round the commissioners, but the commissioners did not interfere to prevent them.<sup>5</sup>

On the question of the composition of the commission, the whigs were clearly open to the charge of partiality; they were anxious to prepare the way for reform, and selected for the preliminary investigation persons known to be sympathetic to it, whose conclusions would merely confirm their presuppositions. In view of this, it would not be surprising if the commissioners themselves showed a bias against the existing corporations during their inquiry. It is, indeed, clear from Parkes's correspondence that they drew a great deal of assistance from the 'Liberal Caste' in the boroughs, and from his own 'local connexions'.<sup>6</sup> Parkes, moreover, neither expected nor desired praise from the tories over the handling of the inquiry; this would have aroused suspicions that the commissioners were not doing their work properly.<sup>7</sup> Nevertheless, much of the evidence on the conduct of the commission was subjective, and dependent on the attitude of the observer to the whole question of reform. *The Times*, for example, still favourable to the reformers in 1833, commented: 'The Commissioners seem . . . everywhere to perform their duty with zeal, sagacity and fairness. . . . We have no doubt that the investigation of the commissioners will be

<sup>1</sup> *L[ords'] J[ournals]*, lxvii. 355.

<sup>2</sup> *Ibid.*, pp. 356-7.

<sup>3</sup> *Ibid.*, p. 366.

<sup>4</sup> A. T. Patterson, *Radical Leicester* (Leicester, 1954), p. 201.

<sup>5</sup> *L.J.*, lxvii. 387-8.

<sup>6</sup> See above, p. 41.

<sup>7</sup> See above, p. 41.

more extensively useful than was at first admitted. . . .<sup>1</sup> On the other hand, the evidence given before the Lords was one-sided, and often came from witnesses whose interests were threatened by the proposed reform; it was only to be expected that such persons should attempt to discredit the inquiry as much as possible. The fact that Peel, in his Tamworth manifesto, undertook not to advise the Crown to interrupt the progress of the commission, nor to transfer it from those to whom it had been committed by the whigs,<sup>2</sup> would suggest that much of the tory criticism of the conduct of the commission was of this truculent nature.

Closely associated with these charges of partiality were criticisms of the pace at which the commission was conducted, and the way in which its Report was drawn up. Thus T. J. Hogg, one of the commissioners who refused to sign the Report, wrote in his Protest:

The other Commissioners were commanded . . . to send in their Reports . . . with the utmost despatch; they obeyed, and transmitted them with the most commendable diligence; and indeed if the judge and jury are predetermined, through conscientious motives, to convict every prisoner, it is easy to get very rapidly through the longest calendar. . . .

Hogg claimed that he first learned from the newspapers that his colleagues proposed to complete a General Report by the end of February 1835, and that he later learned from the same source that the Report had been completed. Hogg submitted his Protest to the home secretary, stating that, owing to delay in the completion of his reports,

it was thought convenient to affect to believe, that I had withdrawn myself from the duties of the Commission. There was no delay however in printing the Reports in consequence of the retention of mine; the press was fully supplied by the contributions of others more happy than myself, who were able to handle confidently and to despatch hastily matters of extreme delicacy. That a general Report should be prepared before every particular Report was printed and had been read and considered by the Commissioners was obviously improper . . . in a most arduous and momentous Inquiry.<sup>3</sup>

Palgrave, the other commissioner who refused to sign the Report, also complained of the treatment which he had received at the hands of the Board. When he received the first draft of the Report in February 1835, he made various critical remarks, but the second draft, although altered, did not meet his criticisms and suggestions. At the two meetings of the Board in March, Palgrave objected that the Report made assumptions which were not warranted by the evidence, but he was overruled. The commissioners refused to allow him to sign the Report under protest, or to annex his objections to it.<sup>4</sup>

It is certainly true that as early as September 1833—over a year before the ‘dismissal’ of the whigs in November 1834—Parkes had made up his

<sup>1</sup>*The Times*, 1 Oct. 1833.   <sup>2</sup>Quoted in J. R. Thurstfield, *Peel* (1893), p. 139.

<sup>3</sup>H.C. 434, p. 31 (1835). XL, 517.

<sup>4</sup>H.C. 135, pp. 1-3 (1835). XL, 523-5.

mind to complete the inquiry quickly, so that legislation might be introduced as soon as possible.<sup>1</sup> Hogg and Palgrave clearly interfered with this plan and were not tolerated. The Tories made a great deal of the way in which they were treated,<sup>2</sup> but much may be said to justify the conduct of Parkes and Blackburne on this matter. Hogg failed to discharge his duties as a commissioner; his pedantry and dilatoriness made him quite unsuited to the task. Blackburne stated in the House in 1835, when the matter was raised, that he had done his utmost to induce Hogg to continue with the work of the commission, and had passed over many acts of negligence so that the commission might not suffer in public opinion. Hogg, however, had held no communication with him for five or six months; and instead of sending his communication to the Board, he sent a Protest to the home office. Thus, Blackburne claimed, Hogg 'had done nothing to forward the object of the Commission'.<sup>3</sup> It was not, in fact, until 1838 that some of his reports were completed, and others were never completed. Again, Palgrave was much too slow. Writing to Ellice in September 1835, Parkes described him as

a damned antiquary . . . 'a Holland Householder' who wants to move centuries retrospectively. But we have put him in a trap, and restricted his voracity and set him on the City Records. Luckily also I knew him, and he is very tractable led by a certain cord—his vanity and good nature.<sup>4</sup>

Were Parkes and Blackburne to wait for all Hogg's reports, and deal at length with Palgrave's objections, the reform would be held up for years, and given the Whigs' inclination to 'rest and be thankful', or a change in their fortunes, might never be passed at all. Their conduct is, therefore, at least understandable.

Of all the aspects of the commission that which was felt to be most blatantly partisan was the Report itself. Wellington wrote to Croker:

[The] Report is neither more nor less than a partial party Report that the inhabitants composing the Corporations have acted as Party Men, and that for this reason principally Corporations ought to be abolished. . . . Of course these Individuals acted as Party Men. . . . This Inquiry has been instituted, these Gentlemen have been selected to conduct it, and they have made the Report . . . upon a party Principle, and it is in this view and in no other that this Report and the Information upon which it is *not* founded must be considered. I call it information because it is not Evidence. But whether Information or Evidence I insist that the Report is not borne out by that which has been laid before Parliament. . . . If the Commissioners had confined themselves to what they saw and had not sought out for political Scandal and Gossip upon the old Constitution of Parli[amen]t which their Patrons had already destroyed, there might have been little enough to find fault with, although much to remodel and make more fit for its purpose than what exists. But that course would not have

<sup>1</sup> See above, p. 41.

<sup>2</sup> E.g. in the *Quarterly Rev.*, liv (1835).

<sup>3</sup> Hansard, *Parl. Debates*, 3rd ser., xxviii, col. 243.

<sup>4</sup> Nat. Libr. Scotland, Ellice MSS., 12 Sept. 1833 (copy).

sued the Purpose of the Author and Patron of this Commission. . . . It is quit obvious that Gossip and Scandal were the object of the Report and not Reform.

Many similar criticisms were made. Lord Falmouth, writing to Peel on 9 June 1835, said that he looked upon the Report 'as disgraceful to me, pretending to impartiality . . .'.<sup>1</sup> And the *Quarterly Review* complained that

the keynote to which the whole concert has been pitched is PARTY. All the objections to the corporations however varied or diversified, end in one point—that they are *party* institutions. All the imputations against individuals end in one point—that they are *party* men. The gravamen of the censure of any proceeding is that it was done for party purposes . . . .<sup>2</sup>

The most famous modern criticism of the Report is that of the Webbs who state: 'The historical student must dismiss it as a bad case of a violent political pamphlet being, to serve Party ends, issued as a judicial report.'

There is, of course, no question that the Report made much too sweeping a condemnation of the corporations, and failed to take into account the fact that in some boroughs, such as Liverpool, self-election and inefficiency were not necessarily synonymous. In view of the Benthamite outlook of the commissioners, with their repeated insistence on the identity of interest between governors and governed as the means to increased efficiency, it is hardly surprising that the Report should overstate the case against institutions in which little or no such identity existed. There is, indeed, a unmistakably Benthamite ring about much of the Report; especially the conclusion that a 'thorough reform' had to be effected in the corporation before they could become 'what . . . they ought to be, useful and efficient instruments of local government'. Again, it seems likely that the strong condemnation of the corporations was at least partly designed to make a convincing case for reform, which could not be ignored, and which would justify a fairly radical measure. Nevertheless, although the Report was exaggerated owing to the commissioners' 'abstract belief in the inherent rightfulness of popularly elected bodies, and [their] overpowering desire to get these established',<sup>3</sup> many of the Tory criticisms of it were clearly a much exaggerated and as partisan on the other side. And it should be noted that Palgrave's criticisms of the details of the Report, of which a great deal was made by the Tories, were far from accurate. As Mr. Keith Lucas says: 'Comparison of [Palgrave's] allegations with the volumes of evidence shows that the Protest is full of misrepresentations.'<sup>4</sup>

At least partly responsible for much of the vehemence in many of the criticisms which have been considered was the suspicion in some Tory circles that the whole reform was designed by the Whigs not merely to introduce Benthamite principles into borough government, but to harm the Tories, and to further their own party interests. Reform would end the Tory hold on the corporations, and thus remove the electoral, and other

<sup>1</sup> Brit. Mus., Add. MS. 38078, fols. 64-7.

<sup>2</sup> Brit. Mus., Add. MS. 40420, fo. 208.

<sup>4</sup> Webb, p. 721.

<sup>3</sup> *Ibid.*, p. 719.

<sup>3</sup> *Quarterly Rev.*, liv (1835), 231

<sup>4</sup> Keith-Lucas, p. 51, n. 1.

patronage attaching to them from tory hands. Moreover, the elected councils which would replace the existing corporations were almost certain to be dominated by the whigs and radicals, who would thus inherit the patronage, and be in a position to use it to their own advantage. This feeling, that the commission and reform were purely political expedients, was, on occasion, explicitly stated. 'The object of the Inquiry', Wellington wrote in 1835, 'was to complete the destruction of the ancient system of representation as far as the Reform Bill had left the work undone.'<sup>1</sup> Again, Lyndhurst in the Lords in 1835 stated that 'a political measure more basic . . . had never been thought of. It was a Whig measure—Whig in principle, Whig in its character, and Whig in its object'.<sup>2</sup> The *Quarterly Review*, after commenting on the strong party note in the Report, said that the remedy proposed for the correction of the party errors in the old corporations was 'that the power should be transferred to the OPPOSITE PARTY'.<sup>3</sup> Finally, *The Times* in 1836, by then hostile to the reformers, claimed that the reform had been framed by the whigs to be a 'measure more gainful to them as a party than even the Reform Bill itself . . .'.<sup>4</sup>

Such claims were, of course, exaggerated, but not without some foundation. In 1832, Parkes had felt that the tories had been 'buried', but that if the whigs would not 'do right the sexton must be called out again'.<sup>5</sup> The tories, however, had not been 'buried'; and the corporations were an asset which might keep them alive. Thus, in April 1833, Parkes, speaking at Coventry, said that the rotten corporations of England were the citadels of political corruption and toryism. They administered their public funds and the public charities for their own party and political ends.<sup>6</sup> This point was, indeed, made time and again in the commission's Report: 'a great number of Corporations', it said, 'have been preserved solely as political engines. . .'.<sup>7</sup> Corporation reform, moreover, might be an opportunity to 'call the sexton out again', and complete the 'burial' of the tories. Changing his expression, but conveying the same meaning, Parkes wrote to Durham a few days before the introduction of the reform in June 1835: 'The Corporation Bill will be poison to Toryism.'<sup>8</sup> And it would be a positive benefit to the reformers. Parkes wrote to Brougham in August 1835:

It is not known to the Government, but it is a fact that the Liberals are naturally looking to the municipal patronage—County Attorneys to Town Clerkships—Liberal Bankers to Treasurerships—etc. etc. Now our supporters have a right to indulge these influences—it is human nature.<sup>9</sup>

<sup>1</sup> Brit. Mus., Add. MS. 38078, fo. 64.

<sup>2</sup> Hansard, *Parl. Debates*, 3rd ser., xxix, col. 1389.

<sup>3</sup> *Quarterly Rev.*, liv (1835), 236.

<sup>4</sup> *The Times*, 4 Jan. 1836.

<sup>5</sup> Wallis, p. 328.

<sup>6</sup> *The Times*, 15 Apr. 1833.

<sup>7</sup> H.C. 116, p. 34, par. 73 (1835). XXIII, 34. See also par. 74.

<sup>8</sup> Buckley, p. 131.

<sup>9</sup> London, Univ. Coll. Libr., Brougham MSS., 18 Aug. 1835.

However anxious the radicals were to increase 'democracy' and 'efficiency' in the boroughs by municipal reform, it is clear that they were not unaware of the party advantages of such a measure.

It is, therefore, essential to relate the reform to the party politics of the eighteen-thirties if the full contemporary significance of the Corporation Commission is to be understood. This connexion with politics was a common feature of many early royal commissions, but it became less marked in later years.<sup>1</sup> The question of partiality was a more constant source of dispute throughout the nineteenth century; and, indeed, is one which has recurred with respect to some commissions in the twentieth.<sup>2</sup> The vital importance of the Municipal Corporation Commission for the Victorian age, however, lay more in its role as one of the great commissions of the eighteen-thirties which set the example of a highly organized investigation, and the production of a powerful, lucid report. In so doing, the Corporation Commission contributed towards the firm establishment of an essential part of Victorian procedure.

G. B. A. M. FINLAYSON

<sup>1</sup>Clokie and Robinson, p. 122.

<sup>2</sup>See *ibid.*, pp. 166-7.

## Gladstone, the Liberals, and the Election of 1874<sup>1</sup>

THE SURPRISE which greeted the news of Gladstone's dissolution of parliament on 24 January 1874 can hardly be exaggerated. Although the parliament of 1868 was in its sixth year and a dissolution had been anticipated earlier during the autumn recess of 1873, with parliament scheduled to reassemble on 5 February, no one expected an election before autumn 1874. The shock was evident from press comment. The radical and extremely critical *Nonconformist* called it 'a bolt from an unclouded sky' which 'dished the Radicals',<sup>2</sup> while both the *Daily Telegraph*<sup>3</sup> and the *Daily News*<sup>4</sup> commented on the surprise. The *Morning Post*,<sup>5</sup> the *Yorkshire Post and Leeds Intelligencer*,<sup>6</sup> and the *Newcastle Daily Journal*<sup>7</sup>, all remarked on the 'veritable coup d'état.' Most bitter of all was the *Durham County Advertiser*:

... our hope is, that the citizens of Durham, and the English people generally, will prove by their votes that they have not forgotten the old English love of fair-play, which denounces as unpardonable, striking a man unprepared in the back.<sup>8</sup>

Various explanations for the 'extraordinary nature of the event'<sup>9</sup> were offered then and subsequently. Some suggested the premier's act was a tactical political manoeuvre calculated to secure 'his own political advantage at the expense of public convenience',<sup>10</sup> although one believed the disadvantage would be at least as serious for liberal candidates.<sup>11</sup> Others accepted the explanation offered in Gladstone's address—liberal weakness since the Commons defeat on the Irish University Bill in March 1873, and the steady attrition of the party's majority through by-elections.<sup>12</sup> The possibility of an internal cabinet conflict was discussed,<sup>13</sup> while *The Times* thought that 'When the private diaries of the present time are published a

<sup>1</sup>I wish to express my gratitude to the Leverhulme Trust, the American Philosophical Society, and the Faculty Research Committee of the University of Oklahoma, whose assistance helped to make the research on which this article is based possible.

<sup>2</sup>28 Jan. 1874.

<sup>3</sup>24 Jan. 1874.

<sup>4</sup>26 Jan. 1874.

<sup>5</sup>24 Jan. 1874.

<sup>6</sup>24 Jan. 1874.

<sup>7</sup>26 Jan. 1874.

<sup>8</sup>30 Jan. 1874.

<sup>9</sup>British Museum, Add. MS. 43924, fols. 49–50. Additional Manuscripts cited below are all in the British Museum.

<sup>10</sup>*Newcastle Daily Journal*, 26 Jan. 1874; *Yorkshire Post and Leeds Intelligencer*, 24 Jan. 1874; *Morning Post*, 24 Jan. 1874.

<sup>11</sup>*Daily News*, 26 Jan. 1874.

<sup>12</sup>*The Standard*, 26 Jan. 1874; *Daily Telegraph*, 24 Jan. 1874.

<sup>13</sup>*Newcastle Daily Journal*, 26 Jan. 1874; *Birmingham Morning Post*, 26 Jan. 1874.

generation hence', it would probably be found 'that the dissolution was not resolved upon until very recently, and that it was perhaps precipitated by an occurrence almost accidental'.<sup>1</sup>

As *The Times* predicted, the memoirs of persons closely connected with the decision to dissolve began to appear in about a generation and they attempted to account for what had appeared to be a sudden resolve. From them two distinct views emerge. The first argues that, although the strength of the government had greatly diminished and numerous harassments made its position increasingly uncomfortable, the critical decision arose from a dispute between Gladstone, on the one hand, and his secretary of state for war, Edward Cardwell, and first lord of the admiralty, George Goschen, on the other. The prime minister wanted reduction in military expenditure in order to achieve tax remission he considered vital; the military ministers refused on the ground that expenditures were at a minimum consistent with responsibility. The difficulty was to be resolved by a reference to the people on the question of income tax repeal which Gladstone had placed uppermost in party policy. John Morley first maintained this position, supported by material from the Gladstone papers in his biography of Gladstone.<sup>2</sup> General Sir Robert Biddulph,<sup>3</sup> private secretary to Cardwell and assistant adjutant general at the war office, and A. R. D. Elliot in the life of Goschen<sup>4</sup> concurred in this view.

The second version maintains that by the dissolution Gladstone hoped to escape the embarrassment that possibly would have arisen at the new session from his illegal retention of his seat for Greenwich. Under a statute of Anne, as amended by the Reform Act of 1867, members of parliament who accepted offices of profit under the Crown were required to resubmit themselves to their constituencies unless they were accepting new office 'in lieu of and in immediate succession' to an earlier office for which they had already been re-elected.<sup>5</sup> Gladstone had been re-elected for Greenwich upon accepting the first lordship of the treasury in 1868 and normally his seat would have been safe. However, in 1873 he accepted the chancellorship of the exchequer while retaining the office of first lord of the treasury, thus leaving some confusion as to whether he fell within the protection of the revision of the statute of Anne. Members of the conservative party held that he did not, the law officers and others close to Gladstone gave inconclusive advice, and Gladstone faced certain scrutiny, if not deprivation and a possible penalty of £500 for each day he sat illegally, when the House met in February. To avoid this difficulty, it is maintained, he dissolved shortly before the session opened. In 1898 the earl of Selborne, who was lord chancellor at the time and who had advised

<sup>1</sup> 24 Jan. 1874.

<sup>2</sup> J. Morley, *The Life of William Ewart Gladstone* (3 vols., 1903), ii. 478-90.

<sup>3</sup> Sir R. Biddulph, *Lord Cardwell at the War Office* (1904), pp. 217-19.

<sup>4</sup> A. R. D. Elliot, *The Life of George Joachim Goschen, First Viscount Goschen, 1831-1907* (2 vols., 1911), i. 140-52.

<sup>5</sup> 6 Anne, cap. 7, sec. 26; 30/31 Victoria, cap. 102, sec. 52.



Gladstone that his seat was vacant, said, 'I have never doubted that this was the determining cause of the dissolution of January 1874'.<sup>1</sup> He was supported by the biography of Hugh C. E. Childers<sup>2</sup> and the recollections of Lord James of Hereford (then Sir Henry James), the attorney general at the time of the dissolution.<sup>3</sup> This view has most recently been put forward in an article based primarily on James' biography which minimizes the significance of the budget and attributes 'a considerable part' to the Greenwich seat problem in the decision to dissolve.<sup>4</sup>

The purpose of this article will be to examine the evidence for each of these views in the hope of resolving the discrepancy between them.

Apparently Gladstone added the chancellorship of the exchequer to his office of first lord of the treasury without anticipating any difficulty about his seat. However, comment in the press on the possibility of an election aroused public interest. As the problem attracted more attention, Gladstone's correspondence swelled with letters about it. Childers and Spencer Walpole wrote suggesting precedents, as well as analyses of the issue. Lowe responded in answer to a query on his position, which seemed comparable in that he accepted the home office while remaining on the treasury commission. Gladstone discussed the 'disquieting addition to my present plurality'<sup>5</sup> with Granville, perhaps his closest confidant on political affairs.

The advice which had greatest influence on his thinking came from several persons whom Gladstone set to work investigating the case and the law officers of the Crown. Gladstone sought assistance from his private secretary, William Gurdon, the solicitor to the treasury, John Gray, and an official of the poor law board, John Lambert. The construction which they put upon the acts appears to have reassured Gladstone. He was further encouraged by a memorandum written by the solicitor general, Sir George Jessel, in which Jessel argued that 'the statute is complied with in letter as well as in spirit'. He strongly advised against Gladstone notifying the speaker of his acceptance of office since this would imply admission that his seat had become vacant.<sup>6</sup> Gladstone next sought the advice of the attorney general, Sir John Coleridge, who had been out of London earlier.<sup>7</sup> Meanwhile, Gurdon and Lambert continued to search for precedents and to suggest courses of action in presentation of a case for official opinion.<sup>8</sup>

<sup>1</sup>Roundell Palmer, earl of Selborne, *Memorials, Part II, Personal and Political, 1865-95* (1898), i. 330.

<sup>2</sup>E. S. E. Childers, *The Life and Correspondence of the Right Hon. Hugh C. E. Childers, 1827-96* (2 vols., 1901), ii. 218-19.

<sup>3</sup>G. R. Askwith, Baron Askwith, *Lord James of Hereford* (1930), p. 69.

<sup>4</sup>R. R. James, 'Gladstone and the Greenwich seat', *History Today*, ix (1959), 351.

<sup>5</sup>Add. MS. 44542, fo. 151.

<sup>6</sup>Add. MS. 44439, fos. 300-3.

<sup>7</sup>Add. MS. 44542, fo. 154.

<sup>8</sup>Add. MS. 44182, fos. 100-1; Add. MS. 44235, fos. 103-4.

Coleridge, after examining Jessel's opinion and the papers submitted to him by Gladstone, reported on 1 September that:

... though I admit that the case is a curious one and the words of the statute not happily chosen, yet I have come clearly and without doubt to the same conclusion as Jessel and I shall be quite prepared if need be to argue the case in that sense in Parliament.<sup>1</sup>

He nevertheless thought Gladstone might wish, for the sake of propriety, to request a written and formal opinion from the law officers and Charles Bowen, the junior counsel to the treasury.

Meanwhile, Selborne had voluntarily written to Gladstone offering the contrary view that the act of 1867 did not protect him and saying that '... if it does not, I confess that I do not see how it can be denied, that, by the acceptance of chancellor of the exchequer, your seat for Greenwich became *ipso facto* vacant, under 6 Anne, cap. 7, sec. 26'.<sup>2</sup> Later, when he had been shown the opinions of Jessel and Coleridge, he admitted the strength of their arguments but continued to maintain that if Gladstone were held to be occupying the same office he held before without interruption, in addition to the new one, the seat would be vacant. He agreed, however, that Gladstone had acted properly in consulting the law officers and could rest on their advice, leaving the House to accept or reject it when it met again.<sup>3</sup> Gladstone discussed the lord chancellor's position with Gurdon, who discounted Selborne's opinion as 'quibbling' and strongly reaffirmed that Gladstone was within the terms of the 1867 act. He also suggested the next step in procedure which was subsequently followed:

The proper course for the examination of the case will be, I think, when the new S. G.'s appt. is complete, to ask Mr. Lambert to communicate with Mr. Gray; and the case, after being touched up, should then be forwarded, as from the solicitor of the treasury (I do not think Mr. L[ambert] should appear formally in the matter) to the Law Officers for their opinion, which afterward would be referred to the Lord Chancellor.<sup>4</sup>

An exchange of correspondence between the speaker of the house of commons, Henry Brand, and Gladstone at the end of September indicates that the prime minister was satisfied with his position at that time. Gladstone had written to the speaker on 16 August, explaining his actions in relation to the Greenwich seat. In his reply, the speaker forwarded suggestions from T. Erskine May and himself on lines of inquiry and assured Gladstone that he was acting properly in securing official legal advice, but he carefully avoided giving an opinion 'out of court'.<sup>5</sup> He did, however, write to Gladstone again as a result of a conservative initiative in September. He had received from two members of the Commons a

<sup>1</sup>Add. MS. 44138, fos. 154-7.

<sup>2</sup>Add. MS. 44296, fos. 301-4.

<sup>4</sup>Add. MS. 44182, fos. 104-5.

<sup>3</sup>*Ibid.*, fos. 311-22.

<sup>5</sup>Add. MS. 44194, fos. 156-9.

certificate of the vacancy of Gladstone's seat which called upon him to issue a writ for a new election.<sup>1</sup> He informed Gladstone that he had replied to the two members pointing out that under the terms of the 'Election of Members during Recess Act'<sup>2</sup> their certificate was invalid without initial notification to the speaker by the officeholder of the vacancy of his seat. Subsequently, the speaker sent Gladstone copies of his correspondence with Lowther and Winn, while at the same time maintaining his impartiality by informing them of his action.<sup>3</sup> Gladstone's reply indicates his thinking at this point:

As these [the Lowther and Winn correspondence] are documents of a formal character and as in the letter of these gentlemen it is recited that they are advised by high legal authority that my seat for Greenwich is vacant, it appears proper that I should place you formally in possession of the fact that I am advised by high legal authority to a contrary effect. At the period when I had just received the seals of the Chancellorship of the Exchequer, the question was submitted with all such information as was at hand first to the Solicitor General now Master of the Rolls, who happened to be personally accessible, and then to the Attorney General. The opinion of both the Law Officers was that I have not vacated my seat.<sup>4</sup>

The issue remained in abeyance for the next two months and Gladstone's papers show few references to it until December. On 17 October, Gladstone wrote to Coleridge asking him and the new solicitor general, Henry James, to consider the case and submit formal opinions, as had been suggested earlier by Gurdon.<sup>5</sup> The question of the Greenwich seat appears on Gladstone's agendas of business for cabinet meetings several times during the autumn, but a circle beside it, instead of the check beside other items, seems to indicate that decision on it was deferred each time.<sup>6</sup> On 26 November, Gladstone wrote to James, who had moved up into the position of attorney general on the appointment of Coleridge as lord chief justice, pressing him and the new solicitor general, William Vernon Harcourt, for opinions before the current series of cabinet meetings ended. In response, on 1 December, James submitted to Gladstone an informal memorandum based on the considerations of Harcourt, the junior treasury counsel Charles Bowen, and himself. The view expressed in the memorandum is less firm than that of Coleridge and Jessel earlier in that it acknowledges arguments both ways and sees no precedents precisely in

<sup>1</sup>Although the two members signing the certificate were James Lowther, M.P. for York, and Rowland Winn, M.P. for North Lincoln, the approach to the speaker appears to have been planned in the highest conservative councils. (See Col. T. E. Taylor to Disraeli, 19, 22 and 25 Aug. 1874, Hughenden Manor, Disraeli Papers, Box 13. For permission to consult these papers the author is indebted to the National Trust.)

<sup>2</sup>21/22 Victoria, cap. 110.

<sup>3</sup>Add. MS. 44194, fos. 160-7.

<sup>4</sup>Add. MS. 44542, fos. 191-2.

<sup>5</sup>*Ibid.*, fo. 199.

<sup>6</sup>Add. MS. 44641, fos. 193, 209, 229.

point, but it strongly advises against communicating any doubt to the speaker which might prejudice Gladstone's position:

We venture to guess that the best course to be pursued is that immediately upon the meeting of Parliament a motion should be made in the house of commons on the part of Mr. Gladstone for the appointment of a committee to consider the effect of his acceptance of the office of chancellor of the exchequer and to report thereon to the house.<sup>1</sup>

Apparently these views were relayed to the cabinet the same day, for a comment on them by Cardwell lies among the cabinet minutes,<sup>2</sup> but final decision on the action to be taken at the new session of parliament was again deferred till mid-January. James' own later recollection of this incident is inaccurate in detail and is not confirmed by any other memoir source. It seems doubtful that a strong representation was made to Gladstone, even privately, that his seat was vacated, as James claims.<sup>3</sup> Certainly, although he continued to await the final opinion of the law officers, during the rest of December Gladstone continued to believe his position to be correct.<sup>4</sup> After the end of December the question once again drops from view, appearing only in an Erskine May opinion which confirmed Gladstone's position on 19 January<sup>5</sup> and again in Disraeli's address after the dissolution.<sup>6</sup>

The argument that Gladstone sought release from the embarrassment of his constitutional position is a circumstantial one made by persons who were close to Gladstone, but not privy to the actual decision to dissolve. Selborne and James both knew of the Greenwich problem and had misgivings about it which they expressed in their official capacity to Gladstone, while Childers corresponded with Gladstone on it because of the parallel to his own case earlier. To them it seemed plausible—perhaps in the cases of the first two even flattering to the weight of their own opinions—to ascribe the dissolution to Gladstone's worry about meeting parliament rather than to the generalities offered in justification to the cabinet and the people at large. Yet neither Gladstone's papers nor the biographies of others close to the investigation of the constitutional problem support this view. Coleridge's biography recounts the incident and considers the argument of the dissolution as a release from a snare, but says, 'No such difficulty or dilemma had confronted the attorney general when he was first consulted or after he had been raised to the Bench'.<sup>7</sup> The author of Harcourt's memoir infers from a letter written by James that Harcourt

<sup>1</sup>Add. MS. 44219, fos. 14-16.

<sup>2</sup>Add. MS. 44641, fo. 238.

<sup>3</sup>Askwith, pp. 65-6. See also for comparison, Selborne and Elliot.

<sup>4</sup>Add. MS. 44543, fos. 24, 40.

<sup>5</sup>T. Erskine May gives a full account of his participation in the Greenwich seat controversy in a Dec. 1874 entry in his Journal (fos. 247-61) which is deposited in the House of Commons Library.

<sup>6</sup>*The Times*, 26 Jan. 1874.

<sup>7</sup>E. H. Coleridge, *Life and Correspondence of John Duke, Lord Coleridge, Lord Chief Justice of England* (2 vols., 1904), ii. 101.

had misgivings about the Greenwich seat, but he ascribes at least as important a role to the internal cabinet crisis over finance which had been reported by Morley before his writing.<sup>1</sup> Gladstone and the cabinet were concerned about the tactics of dealing with the question when parliament opened, but he seems throughout to have been certain of the correctness of his position and not to have feared any censure from the House regardless of its decision on the technicality of his seat. James' views in December, if anything, confirmed him in that belief, even though James and Harcourt were not as certain of the security of the seat as the earlier law officers. It has been suggested that Gladstone wished to avoid a heavy penalty of £500 a day fine for each day of invalid occupancy of his seat, should a decision of the House go against him, but this is untenable since, as Lambert had pointed out in August, the penal clause did not apply in Gladstone's case.<sup>2</sup>

Robert Rhodes James argues on the basis of the Journal of Erskine May that had Gladstone received the January 19 letter from May earlier, the decision to dissolve might not have been taken.<sup>3</sup> However, Gladstone's papers show that agreement on dissolution was reached only within an inner group of the cabinet on 19 January and not communicated to the whole until 23 January. If the dissolution was motivated by the Greenwich difficulty, and if May's opinion was critical to the assessment of Gladstone's position, the four days between Monday and Friday, 19 and 23 January, certainly offered ample opportunity for a reversal of the earlier conclusion.

Of the concern of Gladstone and those close to him about the question of the Greenwich seat there is no doubt. The important question is whether this anxiety led to the action of late January. The positive evidence does not show conclusively that it did, and the absence of reference to it during the critical period of January suggests that it did not. It would be better to regard the Greenwich seat issue as another technical embarrassment, similar to the Ewelme rectory and Collier judicial appointments, which caused the government discomfort, but not as an issue upon which life and death depended.

More convincing evidence is available for the argument that the dissolution was precipitated by an internal cabinet controversy over finance. In order to grasp the importance of the dispute, however, it is necessary to remember the problems which Gladstone faced as a party leader in late 1873 and early 1874.

The weakness and division of the liberals at this point have often drawn comment. In spite of a remarkable record of achievement and a nominal majority which remained strong on most issues, the party was demoralized by external reverses and bickering among its own members. The defeat of the Irish University Bill and forced resumption of office in March 1873

<sup>1</sup>A. G. Gardiner, *The Life of Sir William Harcourt* (2 vols., 1923), i. 266-8.

<sup>2</sup>Add. MS. 44235, fols. 97-8; 41 Geo. 3, cap. 52, sec. 6 and 9.

<sup>3</sup>James, *ubi supra*, p. 350.

and the irregularities in post office finance which forced a reorganization of the government at the end of the session placed the government in a vulnerable position. The disaffection among right-wing whigs was becoming more acute, as evidenced by the resignation of Ripon in July to avoid an open conflict over the county franchise<sup>1</sup> and the remark to Gladstone that 'Some of our tail joints have been wagging too fast and alarming the people with their radical nonsense', by Argyll in January 1874.<sup>2</sup> On the left, the attacks of the 'crotchet-mongers' who thought the government's achievements were inadequate, if not harmful, reached their peak in Chamberlain's plan for the establishment of a new party on the programme of 'Free Church, Free Land, Free Schools, and Free Labour'.<sup>3</sup> At the same time Chamberlain privately was inviting Sir Charles Dilke to join with him in smashing up the 'whited-sepulchre called the Liberal party'.<sup>4</sup> The strains of the party produced an increasing acerbity among the ministers which was made more intense by the indications of loss of confidence in a long sequence of by-election defeats.

By summer 1873 Gladstone was searching for a means to restore the unity and vigour of the party. He took advantage of the reshuffling of the cabinet necessitated by the post office disclosures to relieve some of the internal tensions of the ministry as well as to restore public confidence. His most important alterations were the reintroduction of Bright as chancellor of the duchy of Lancaster to quiet nonconformist criticism and the assumption of the chancellorship of the exchequer for himself.

Gladstone's new office, in addition to initiating the controversy over the Greenwich seat, also aroused speculation about 'a good rattling Budget such as Gladstone knows how to propound'.<sup>5</sup> It soon became clear that the new chancellor expected to use his office as the means to draw the party back together. In a letter to Bright on 14 August he analysed the position of the liberal party and said:

What we want at present is a *positive force* to carry us onward as a body. I do not see that this can be got out of Local Taxation or out of the Suffrage (whether we act in that matter or not and individually I am more yes than no) or out of Education. It may possibly, I think, be had out of *Finance*. Of course, I cannot as yet see my way on that subject, but until it is cleared nothing else will to me be clear. If it can be worked into certain shapes, it may greatly help to mould the rest, at least for the time . . . we have now before us a clean staff for the consideration of measures in the autumn. We must, I think, have a good bill of fare or none. If we differ on the things to be done, this may end us in a way at least not dishonourable. If we agree on a good plan, it must come to good,

<sup>1</sup>L. Wolf, *Life of the First Marquess of Ripon* (2 vols., 1921), ii. 376-8; Add. MS. 44286, fos. 184-9.

<sup>2</sup>Add. MS. 44103, fo. 107.

<sup>3</sup>J. Chamberlain, 'The Liberal party and its leaders', *Fortnightly Rev.*, new ser., xiv (1873), 287-302.

<sup>4</sup>S. L. Gwynn and Gertrude M. Tuckwell, *The Life of the Rt. Hon. Sir Charles W. Dilke* (2 vols., 1917), i. 165.

<sup>5</sup>Gardiner, i. 257.

*whether* we succeed or fail with it. Such are my crude reflections and such my outlook for the future.<sup>1</sup>

As early as April 1873 Gladstone had been attracted to the idea of abolition of the income tax,<sup>2</sup> and shortly before writing to Bright he noted a conversation with Cardwell on income tax relief and other tax reform in his diary. By 29 September he entered, 'Wrote a rough mem. and computation for budget of next year. I want eight millions to handle!'<sup>3</sup> Throughout the rest of the autumn he was in contact with the chairman of the board of inland revenue and the head of the finance department of the treasury, seeking the information on projected revenue from various sources that would allow him to execute a striking financial reform.<sup>4</sup> When his computations were complete, Gladstone estimated he would have a surplus of £5,000,000 in 1874-5, to which he hoped to add £2,000,000 from new taxes, particularly on spirits, to give him a total of £7,000,000. This brought him close to being able to achieve his desired objectives—abolition of the income tax and sugar duties and remission of some local taxation. The changes would cost him £7,535,000 in revenue loss, in addition to which he wanted a margin of £465,000, making a total need of £8,000,000.<sup>5</sup> This discrepancy of a million pounds he hoped to make up from cuts in the naval and military estimates.

Until December, Gladstone did not conceive of the budget proposals as an election cry. Rather, he thought of the financial programme as a mechanism, consistent with political principle, by which to obscure the issues that were dividing the liberals and to unite the party once more on a measure of overriding importance. He planned to rally the liberals for the 1874 session around their fundamental policies of retrenchment and economy, after which he intended to appeal to the country on the basis of the party's accomplishment in finance, a field in which many of its past glories lay. Only as he encountered the resistance of Cardwell and Goschen did the idea of dissolution appear and slowly grow into a resolve.

On 18 December, after Cardwell had reported inability to achieve the required reduction, Gladstone wrote to him:

What I fear inwardly is that . . . we have indirect but significant and certainly multiplying indications that the authority necessary for carrying on with credit and efficiency the government of this country is now in our hands seriously impaired and that if we cannot soon sound our position it had better be abandoned. This is a rather dark view, but we must all wish to know truth whatever it may be.<sup>6</sup>

An even stronger indication of Gladstone's discouragement came in a letter to Granville in early January. After noting the signs that

<sup>1</sup>Add. MS. 44113, fos. 61-2. Printed in Morley, ii. 478-9.

<sup>2</sup>Add. MS. 44542, fo. 104.

<sup>3</sup>Morley, ii. 478.

<sup>4</sup>Add. MS. 44440, fos. 200-19; Add. MS. 44441, fos. 81-94. •

<sup>5</sup>Add. MS. 44170, fo. 18.

<sup>6</sup>Add. MS. 44543, fo. 30.

the government was losing the confidence of the people, Gladstone said:

... it might be a godsend, if some perfectly honourable difference of opinion among ourselves on a question requiring immediate action were to arise, and to take such a course as to release us collectively from the responsibilities of office.<sup>1</sup>

He went on to say that the ordinary remedies for such a situation of resignation or dissolution did not seem applicable, since they had too large a majority to resign and dissolution would surely bring defeat or defeat only slightly postponed. He also discounted excellence of general administration as being sufficiently strong to draw support to the government. As he had told Bright earlier, the choice had to be among three issues, local taxation, county suffrage, or finance. The first two did not promise success, but finance, despite certain contingencies, appeared hopeful.

My opinion is that we *can* do it: can frame a budget large enough, and palpably beneficial enough, not only to do much good to the country, but sensibly to lift the party in the public view and estimation.

The key point in these calculations was whether between three-fourths of a million and a million pounds could be pared from the naval and military estimates. Gladstone had already had indications of difficulty on this score, for he added

I think a broad difference of opinion among us on such a question as this would be a difference of the kind which I described near the opening of this letter, as what might be in certain circumstances, however unwelcome in itself, an escape from a difficulty otherwise incapable of solution.

Gladstone appears to have expected Granville to bring pressure on Cardwell, for he authorized Granville to show him the letter if he wished.<sup>2</sup>

Efforts to persuade the ministers to accept cuts continued to be unsuccessful. Goschen, from whom Gladstone expected to get the greater share of his needs, insisted that Britain's commitments, as well as decay of ships, required a continued programme of construction.<sup>3</sup> With great difficulty and in the face of rising costs and recruitment problems, Cardwell offered Gladstone a cut of £100,000 but refused to go beyond that point on the grounds that the safety of the country was endangered.<sup>4</sup> On 17 January Gladstone noted in his diary that 'The prospects of agreement on estimates

<sup>1</sup>Printed in part in Morley, ii. 479-82, and in full in *The Political Correspondence of Mr. Gladstone and Lord Granville, 1868-76*, ed. Agatha Ramm (Camden 3rd ser., lxxxii, 1952), ii. 438-41.

<sup>2</sup>Add. MS. 44170, fo. 2; *Political Correspondence of Gladstone*, ii. 438.

<sup>3</sup>Add. MS. 44161, fo. 254.

<sup>4</sup>Biddulph, pp. 217-19. No material related to this controversy is to be found among the Cardwell Papers in the Public Record Office. A new study of Cardwell (A. B. Erickson, *Edward T. Cardwell, Peelite* (Trans. American Philosophical Soc., new ser., xlix pt. 2; Philadelphia, 1959), pp. 98-9) discusses this episode in terms of the passage in Morley and the Gladstone Papers cited here.



are for the present bad.<sup>1</sup> On the same day he sent for Goschen, Cardwell, Granville, Bright, and Wolverton to meet at his home on 19 January to discuss the question of the estimates. The following day he noted:

This day I thought of dissolution. Told Bright of it. In evening at dinner told Granville and Wolverton. All seemed to approve. My first thought of it was an escape from a difficulty. I saw on reflection that it was the best thing in itself.<sup>2</sup>

The same day Granville wrote to his wife of a possible break-up or even dissolution.<sup>3</sup>

Gladstone was ill in bed with a tight chest at the scheduled time of the meeting with his ministers. His physician forbade him to speak, so he asked Granville to deputize for him, leaving him a memorandum which outlined his needs for reductions and his arguments in favour of them.<sup>4</sup> There are no records of this meeting, but it seems clear that an impasse was reached on the question of the reductions. To solve the dilemma the ministers decided to appeal to the country to carry out Gladstone's financial programme without mentioning the disagreement over estimates, either publicly or to the queen and cabinet. In the meantime Goschen and Cardwell would avoid commitments in their departments, so that they could effect the necessary adjustments if the country decided in favour of Gladstone.<sup>5</sup> In a sense, the issue of the election was not between the conservative and liberal parties, but between Gladstone and his military and naval ministers.

Once the decision had been taken, Gladstone set himself, while still in bed and under 'enforced silence', to the preparation of an address, avoiding any mention of the internal differences. For his own use, he prepared a memorandum outlining the reasons for calling an election at this time. Among these he listed the gain in time and avoidance of a ministerial crisis, greater certainty about forming the budget after the election, an arrest to the series of by-election defeats which had been weakening party morale before the final struggle, the avoidance of the dangers of the new session which would be present even with the appeal of the budget, and the absorption of the divisions in the party 'on a question of universal and commanding interest' which might make them disappear entirely.<sup>6</sup> He also prepared a letter for the queen in which he requested a dissolution on the basis of the trend shown in the by-elections. In her answer the queen expressed surprise at the possibility of a dissolution, but she agreed to give her consent should the cabinet desire it.<sup>7</sup>

<sup>1</sup> Morley, ii. 484.

<sup>2</sup> *Ibid.*, pp. 484-5.

<sup>3</sup> E. G. P. Fitzmaurice, Lord Fitzmaurice, *The Life of Granville George Leveson Gower, Second Earl Granville, 1815-1891* (2 vols., 1905), ii. 117.

<sup>4</sup> *Ibid.*, p. 118; Morley, ii. 485; Add. MS. 44762, fos. 4-5.

<sup>5</sup> Add. MS. 44762, fos. 8-9; Add. MS. 44120, fo. 212.

<sup>6</sup> Add. MS. 44762, fos. 6-7.

<sup>7</sup> *The Queen and Mr. Gladstone* [ed. P. Guedalla] (2 vols., 1933), i. 436-8.

The cabinet met on Friday, 23 January, when Gladstone laid the proposal for a dissolution before his colleagues, presumably on the basis of his sick-room reflections. He stated the motives for the action in general terms and recommended it on the grounds of general advantage. Granville concurred with his remarks and the ministers readily agreed. Then they considered the address which Gladstone had prepared and, with minor revisions, approved it.<sup>1</sup> The intention was that the dissolution would be announced on Monday, 26 January, but by evening the correspondents of several newspapers had the information from one of the cabinet members, possibly Bright.<sup>2</sup> The same evening Gladstone communicated the decision of the cabinet to the queen and tried to allay her misgivings by saying that the formation of his fiscal policy depended on revenue information that had just become available and that the decision was reinforced by the most recent by-election results.<sup>3</sup>

Long afterward, in the last year of his life, Gladstone wrote an autobiographical memorandum to explain the causes of the dissolution of 1874, which he felt had never been properly set down.<sup>4</sup> In some respects it illuminates the question of the dissolution, but in other very important points it diverges from the picture given by the contemporary documents. He omitted political considerations from his reflections as a motive force in the decision to dissolve. Even though he mentioned the results of the by-elections he said that they had not come prominently into notice. Instead, he associated his desire to repeal the income tax during the session of 1874 with pledges he had made on the inclusion of the tax in the budget of 1853 and with a desire to remove the temptation for chancellors to use a war-time tax for peace-time purposes. The immediate cause of the dissolution, however, he said was completely separate from the repeal of the income tax and sprang from unredeemed promises made in the Army Reform Bill of 1871. Gladstone had then justified temporary augmentation of the military budget to establish the reserve and abolish purchase by promising reduction of the military budget later. In order to honour this pledge, Gladstone said he had asked Cardwell to reduce his estimate by £200,000, which he refused to do. Since the parliament was old and the financial conditions suitable, he broached the idea of dissolution to Granville and Cardwell, who agreed, as did the cabinet, so the plan was carried out immediately.

An interesting thing about this statement is that Gladstone omitted any mention of the desperate straits of the liberal party, which, according to his own letters, started him searching for a measure by which to reunite it. Even in discussing the results of the election, he attributed the failure of

<sup>1</sup>Add. MS. 44641, fo. 245.

<sup>2</sup>*Ibid.*, fcs. 251-2.

<sup>3</sup>*The Queen and Mr. Gladstone*, i. 441-2. The by-elections to which Gladstone refers were probably Stroud, which the liberals lost, and Newcastle upon Tyne, which they retained but by a very reduced majority.

<sup>4</sup>Add. MS. 44791, fcs. 148-51.

the liberals to the 'novelty' of the income tax issue rather than the many other problems that confronted the party. He made no association between his desire to cut the army estimate and the need for additional funds to effect the income tax repeal, while the role of Goschen was completely omitted. Nowhere in the papers of 1874 is there any mention of unredeemed promises, and it is doubtful whether a promise as remote as 1853 could have been felt to be binding.<sup>1</sup> In his address to the Greenwich electors Gladstone made no reference to a specific obligation to repeal dating from 1853, but merely alluded to the assumption since its revival in 1842 by Peel that it was a temporary rather than permanent source of revenue. With respect to the 1871 promise about military cuts, Cardwell had already economized well below that level. In sum, it seems that Gladstone associated certain events—the desire to repeal the income tax, the need for cuts in the military estimates, the obstinacy of Cardwell, and the dissolution—but he forgot their causal relationship.

Political decision-making is always a complex process in which many factors, not all of them obvious, contribute to the final result. Doubtless the internal stresses in the liberal party and the reverses which the government had suffered in parliament in the previous year had made Gladstone and his colleagues receptive to some release from their difficult position. The long and virtually unbroken series of by-election losses eroded their confidence in themselves and their authority. The abrasion of personalities such as Ayrton and Lowe made them irritable with one another. The gloomy speculations in Gladstone's December and January analyses of the prospects for the party if it failed to unite behind a major issue have a tone of despair about them that make it clear that he wanted to get the agony over quickly rather than prolong it till an autumn election. Perhaps Gladstone's poor health may also have played a role.<sup>2</sup>

Nevertheless, the issue around which the decision crystallized seems clearly to have been the internal cabinet conflict over budget reductions, not concern over the Greenwich seat. For six months Gladstone had hung his hopes for the preservation and success of the party on dramatic tax reform and all that stood between him and realization were the two service ministers who refused him what he considered modest limitations in their budgets. Goschen and Cardwell, on the other hand, had imposed strict

<sup>1</sup>Gladstone in part gave the explanation of obligation to repeal the income tax some years earlier than this during a bitter controversy over Lecky's criticism of the dissolution in his *History of England in the Eighteenth Century*. Lecky appears to have viewed this with some scepticism (*Nineteenth Century*, xxi (Jan.-June 1887), 919-36; xxi (July-Dec. 1887), 52-4, 279-84). F. W. Hirst in *Mr. Gladstone as Financier and Economist* (1931), on the other hand, insists that throughout his career Gladstone was concerned to eliminate the income tax except for use in time of national emergency. Sydney Buxton (*Finance and Politics: an Historical Study, 1783-1885* (1888) and *Mr. Gladstone as Chancellor of the Exchequer* (1901) acknowledges Gladstone's long-standing desire to eliminate the income tax, but he does not discuss the special circumstances of 1874.

<sup>2</sup>J. L. Hammond, *Gladstone and the Irish Nation* (1938), pp. 108-11.

limitation on spending, had even achieved reduction in the past, and feared the harmful effects of any further cuts. Faced with these compelling but contradictory responsibilities, Gladstone chose to refer the decision to the constituencies and his two opponents acquiesced.

As a political manoeuvre, Gladstone's gamble on tax reform in January 1874 had two objectives. First, he hoped to restore the unity which the liberal party, always a coalition of greater or lesser looseness, had lost since 1868. Second, he strove to win back lost public confidence by posing a new and attractive programme in order to submerge the discontent with the old. To the party the premier issued an appeal to rally once more round his personality and to move forward to victory on the strength of his past eminence in the field of finance. He expected to arouse the hopes of a 'good rattling budget' that Harcourt had expressed in August and to revive memories of 1853 and 1861. On both counts he obviously failed. The question to be answered is why.

The timing of the dissolution did catch most of the dissident elements of the party unawares, and, therefore, in spite of their opposition long before the election, they were unable to bring the full force of their organizations to bear on the contest. The election showed that the critics within the party were much weaker than they had thought, but even the strongest of them the National Education League, did not have time to adopt a carefully co-ordinated national policy. The League had suspended its attacks on the government after the appointment of Bright to the cabinet, but still regarded the government with suspicion throughout the autumn.<sup>1</sup> Nevertheless, all the League could do in January was to advise its member organizations to question candidates on their views and to take whatever action towards supporting them seemed advised.<sup>2</sup> Other pressure groups such as the Home Rule associations, societies for the repeal of the contagious diseases acts, and the various temperance and nonconformist groups, similarly extended or withheld their endorsement of candidates who had been questioned about their views, but the results of the contest do not indicate that they were very effective.

Whereas Gladstone may have gained from the surprise to the 'crotchet mongers', the election manifesto did not succeed in pasting over the cracks in the party then or later. Instead, the right-wing whigs continued to drift toward the conservative party, presaging the large scale defections after 1880 and 1886. The marchioness of Westminster, whose influence dominated Shaftesbury, announced her support for the conservatives in September 1873 because '... what were formerly termed whigs and liberals have now degenerated into radicals and revolutionaries'.<sup>3</sup> In the by

<sup>1</sup> *The National Church* (Sept. 1873), 209; J. L. Garvin, *The Life of Joseph Chamberlain*, vol. i (1932), p. 140; *Early Life and Letters of John Morley*, ed. F. W. Hirst (2 vols., 1927), i. 279.

<sup>2</sup> F. Adams, *History of the Elementary School Contest in England* (1882), p. 300.

<sup>3</sup> *The Times*, 5 Sept. 1873.

election of September 1873 and the general election, her constituency returned conservatives; it had returned only one other, for a seat voided on an election petition, since 1832. At Berwick-on-Tweed one of the sitting liberals, Lord Bury, threw the constituency into confusion when he first tried to stand as a 'liberal-conservative' before shifting over to the conservative party entirely. On the left, radical groups showed no readiness to abandon their causes, but rather attempted to exert pressure on and intimidate candidates into adopting their views. The large number of constituencies in which unauthorized liberal candidates stood in excess of the number of seats being contested indicated their determination to continue the attack on the official party. In a total of thirty-four constituencies, more liberal candidates presented themselves than there were seats available,<sup>1</sup> and according to a report from Arthur W. Peel to Gladstone, thirteen seats were lost due to these divisions.<sup>2</sup> Once the election was over, the party was demoralized and the prospect of Gladstone's retirement from the leadership left it in a state of confusion, but the splinter groups were not inclined to accept a share in the responsibility for the defeat nor to abate their militancy.<sup>3</sup> Later when a replacement for Gladstone had to be found, a leading candidate, Forster, was disqualified because of nonconformist objections,<sup>4</sup> and after Hartington had been selected, Chamberlain conspired to build an organization on the foundation of the National Education League which would enable him to shape policies independently of the official leadership.<sup>5</sup> The liberals continued to run the risk of disintegration until Gladstone took up the attack on conservative foreign and imperial policy in the late eighteen-seventies, drawing the party together once more until the Chamberlain criticisms of the eighteen-eighties.

In the country at large the timing of the dissolution gravely weakened Gladstone's chances of success. Although there was considerable dissatisfaction with local taxation and despite discussion among the conservatives of income tax abolition,<sup>6</sup> the subject of tax reform was introduced to the mass public so suddenly that its effect, if any, could not accumulate before the time of polling. Disraeli immediately dulled the edge of the liberal tax reform offer by claiming Gladstone's proposals as traditional conservative policies.<sup>7</sup> The scant few days before polling offered an insufficient period for development of Gladstone's position or differentiation between the programmes of the two parties. In both 1868 and 1880, prolonged

<sup>1</sup>Based on F. H. McCalmont, *The Parliamentary Poll Book* (1879).

<sup>2</sup>Add. MS. 44270, fos. 297-9. Peel erroneously includes Radnorshire, but omits Waterford County.

<sup>3</sup>*The Nonconformist* (18 Feb. 1874), 145; *Alliance News* (14 Feb. 1874), 97.

<sup>4</sup>A. W. W. Dale, *Life of Robert William Dale of Birmingham* (1898), pp. 297-9.

<sup>5</sup>F. H. Herrick, 'The origins of the National Liberal Federation', *Jour. Mod. Hist.*, xvii (1945), 126-9.

<sup>6</sup>Lord John Manners to Disraeli, 2 Oct. 1873, Hughenden Manor, Disraeli Papers, Box 13.

<sup>7</sup>*The Times*, 26 Jan. 1874.

periods of public discussion preceded the general elections and voters had opportunity to focus clearly on one choice or another. Circumstances did not permit this in 1874, and tax reform received only passing reference or was ignored in most constituencies.

Even had time been available, there is serious question whether tax reform was an issue of sufficient magnitude to make voters forget their grievances they felt against the government. The three-pronged attack on income tax, duties on articles of consumption, and local taxation offered something for everyone, but the questions troubling the major groups of voters were more important and demanded answers rather than evasions. Instead of praise, in many constituencies Gladstone drew criticism for bribery and impropriety by making the budget a general election issue. In most contests the financial appeal received only passing attention, and a discussion between candidates continued to fix on the matters which Gladstone wished to obscure.

Gladstone's greatest error in designing his appeal lay in his failure to appreciate the fundamental changes in social and political loyalties which were taking place at the time. New alignments, already discernible to the careful observer in 1868, were replacing older associations for reasons that were beyond the influence of a single legislative proposal. This thrust came not so much from the radicals, who, in spite of their truculence, had nowhere to go but the liberal party. It arose from groups for whom the conservative and liberal parties offered a reasonable choice of alternatives, of which the conservatives were rapidly becoming the more attractive.

Two interests appear to have shifted their allegiance permanently. The first were the whig magnates mentioned already. The conservative pre-eminence in the English counties increased in this election and even touched Scotland and Wales. Although the drift to the more congenial conservatives grew in later years, many whigs already were questioning whether Gladstonian, or worse yet, Chamberlain liberalism suited them. More striking still was the appearance of middle-class suburban conservatism in the dormitory quarters of large population centres. These voters were 'the sleek citizens, who pour forth daily from thousands and thousands of smart villas round London, Manchester, and Liverpool, read the *Standard*, and believe that the country will do very well as it is'.<sup>1</sup> For reasons of respectability, stability, and avoidance of radical change, they were finding the conservative party increasingly more appealing than the liberal. Results in the home counties indicate their effect.<sup>2</sup> Other less

<sup>1</sup>F. Harrison, 'The Conservative reaction', *Fortnightly Rev.*, new ser., (Jan.-June 1874), 305.

<sup>2</sup>For analyses of the impact of suburban voting, see *ibid.*, pp. 297-309; *The Nonconformist* (1874), 157-8, 174-5; *The Times*, 14 Aug. 1873; Lord George Hamilton, *Parliamentary Reminiscences and Reflections, 1868 to 1885*, (1886-1900) (2 vols., 1917-22), i. 11; H. J. Hanham, *Elections and Party Management* (1950), pp. 225-7.

factors played their roles. The energetic hostility to the government of the retail liquor trade, the disaffection among the working classes and the appearance of an independent political movement among them, dissatisfaction with past Gladstone policies or apprehension over future ones, disquiet because of revolutionary disturbances in France and Spain, and radical abstentions probably all contributed to the defeat. The red herring of the income tax was not strong enough to throw the discontented voters off the scent. Although the election marked a significant stage in the development of modern mass party politics, Gladstone's efforts to mobilize support around a single, transcending issue was disastrous.

WILLIAM HENRY MAEHL

## Notes and Documents

### *Richard of Devizes and the Annals of Winchester*

THE CHRONICLE of Richard of Devizes, one of the most interesting and amusing productions of the twelfth century, survives in two manuscripts No. 339 of the library of Corpus Christi College, Cambridge (= A), and Cotton MS. Domitian A. xiii in the British Museum (= B). In both manuscripts it is preceded by a set of annals in the same handwriting as the chronicle. The annals in 'A' extend to the year 1139. Since all editors are agreed that the chronicle in 'A' is in the author's handwriting and since the annals are in the same hand and use the same turns of speech and the same classical quotations as the chronicle, it may be accepted that the annals in 'A' are the work of Richard of Devizes, as will be more fully demonstrated in this note.

The annals in 'B' are a copy of 'A' to 1066, continuing, with one interruption, to 1202, in one handwriting. The section from 1066 to 1139 is in a different text from 'A', with copious extracts from William of Malmesbury and with no direct quotation from 'A'. 'B' continues the annals from 1139 to 1190 and from 1196 to 1202, still in the same handwriting as the earlier sections. Another hand continues them up to 1277. These three last portions are missing from 'A'. Finally, both manuscripts continue with the chronicle of Richard of Devizes. The version of the chronicle in 'B' is, as will be shown, quite clearly a copy of 'A', in a different hand.

The chronicle was first edited in 1838 by J. L. Stevenson,<sup>1</sup> who remarked upon the similarity between the two manuscripts but denied that Richard of Devizes was the author of the annals.

These [i.e., 'A' and 'B'] are not only of equal antiquity and authority, being contemporary with the composition of the work, but closely resemble each other in handwriting, size, arrangement and other minute particulars [p. vii]. The Editor is unable to conjecture upon what grounds it [the annals] is ascribed to Richard of Devizes, from whose history of Richard the First it differs materially in style and arrangement [p. viii].

When H. R. Luard edited the annals for the Rolls Series in 1865 under the title of *Annales de Wintonia*,<sup>2</sup> he used 'A' to 1066 and then switched to 'B', which he followed to the end, noting only two variants in 'A' fo

<sup>1</sup>*Chronicon Ricardi Divisiensis*, ed. J. L. Stevenson (English Hist. Soc., 1838).

<sup>2</sup>In *Annales Monastici*, ed. H. R. Luard (5 vols., Rolls Ser., 1864-9), ii, hereafter referred to as Luard.



the years 1066 to 1139. In his introduction Luard tentatively ascribed the annals to Richard of Devizes on the grounds of the identity of the handwriting of the annals and the chronicle and of the sources of the classical quotations used in the two works. 'I cannot, therefore,' he wrote, 'think that any more probable author for the chronicle [i.e., the annals] can be found' (p. xii).

Richard Howlett, in the introduction to his edition of the chronicle, also in the Rolls Series (1886),<sup>1</sup> accepted Luard's ascription of the annals to Richard of Devizes and strengthened it by pointing out a sentence in the unpublished section of 'A' and a remarkably similar passage in 'B' (p. lxxi). Howlett confused the issue, however, by claiming that both 'A' and 'B' are in the author's handwriting. He cited Luard to strengthen that claim, whereas Luard stated that 'B' is 'written in more than one hand, of the end of the thirteenth or beginning of the fourteenth century' (p. x), a hundred years after Richard's time.

The purpose of this note is to examine more closely than previous editors have done the relationship between the two manuscripts, and between the chronicle and the annals, and finally to quote some of the more interesting entries from the unpublished portion of the Cambridge manuscript.<sup>2</sup>

Both manuscripts were written at the end of the twelfth century or at the beginning of the thirteenth. The handwriting of 'A' looks slightly earlier than that of 'B', although the difference might be accounted for on the ground that the writer of 'A' was an older man who retained some of the characteristics of an earlier day. In general, the writing in 'A' is rounded, whereas in 'B' greater emphasis is given to the vertical strokes, producing an effect of angularity. This is especially noticeable in the letters *m*, *n*, and *u*. In 'A' the top of *m* and *n* and the bottom of *u* are carefully rounded, but in 'B' they are mere hairlines. Words such as *uiuus* and *minus* look like a succession of vertical strokes in 'B', but in 'A', except in hastily written passages, the letters are distinctly differentiated. In 'A' the letters *a* are uniform, with the line curled back at the beginning of the downstroke. In 'B' the final and often the initial *a* are written with the downstroke beginning at the top of the line, so that the letter looks somewhat like the modern *d*. In 'A' the final *s* is frequently written over the penultimate letter. This device is not found in 'B'. Finally, abbreviations are used more often in 'B' than in 'A', as one would expect in a copy. The fact that more words are written in full in 'A' would suggest that it is an original draft, with the words written as they came to the author's mind. Furthermore, the style of the abbreviations differs in the two manuscripts.

Although Howlett was apparently correct in stating, for reasons that he gave at length on pp. lxxix-lxxx, that 'A' is the author's draft, one cannot accept his surmise that 'B' is the author's fair copy. 'B' is, rather, a fair

<sup>1</sup>In *Chronicles of the Reigns of Stephen, Henry II and Richard I*, ed. R. Howlett (4 vols., Rolls Ser., 1884-9), iii. 379-454, hereafter referred to as Howlett. ●

<sup>2</sup>See below, p. 75. I am obliged to the Master and Fellows of Corpus Christi College, Cambridge, for permission to publish these extracts.

copy by a scribe and, moreover, a copy made when the author was no longer present to be consulted, either because it was not made in Winchester or because it was made after Richard's death. This is clearly indicated by the marginal notation in 'B': 'Hic abrasum erat quicquid illud esset',<sup>1</sup> and by the failure of the scribe to correct the glaring error in dating the Treatise of Winchester.<sup>2</sup>

'A' starts out, after the dedicatory prologue, as a conventional chronicle with wide margins at the outside and bottom of the page and a line left blank after each paragraph. Almost immediately, however, the author begins to use the margins, first for additions and corrections to his text and soon for detailed entries that bear no connexion with it. When the chronicle is well under way, the page is completely filled, with two independent accounts carried on simultaneously in text and margin, along with emendations, corrections, and additions that stray from one to the other. Towards the end, on fo. 40r, one entry fills the margin at the top of the page, then takes the full width of the page for two lines, and finally fills the text for the remainder of the page, whilst a new entry begins in the remainder of the margin and takes up the full width of the bottom margin.

If the author himself were making a fair copy from this almost chaotic draft, he would surely organize it, fuse the two parts into one, and produce a copy that corresponded in some way to his idea of the proper lay-out. Instead, the scribe of 'B' was baffled by the lack of organization and could only copy both text and margin as he found them, thus preserving the meaningless distinction between the two.

The annals in 'A' are in the same handwriting as the chronicle, and it may be demonstrated that Richard of Devizes is their author as well, on the following grounds: (1) the frequent use of alliteration in both works; (2) the similarity of sources for the classical quotations; (3) the dramatic speeches in direct discourse; and (4) the general style.

(1) Alliteration is Richard's favourite device; examples may be found on every page of his chronicle. No other writer of his time uses it so frequently and so effectively as he does. Although it seems mannered in places, the device lends the touch of perfection to his concluding sentences in which, telling of King Richard's decision not to take advantage of the Saracens' permission to visit Jerusalem, our author writes: '... adquiescere non potuit digna magni cordis indignatio, ut quod de Dei dono non poterat de gratia Gentilium consequeretur'.<sup>3</sup> The following examples from the annals show how he uses the same device:

... ut tempore necessitatis facile facerent quod facere praedidicerunt.<sup>4</sup>

Multantur Mercii sine misericordia; tantoque vincendi vincuntur velocius...<sup>5</sup>

... et tamen plures ex delicatis suffocantur sudore quam sanguine. Tot tellus tegitur cadaveribus hominum et equorum. Bernulfus ipse non jam re Merciorum sed mortuorum...<sup>6</sup>

<sup>1</sup>Howlett, p. 413, n. 2.

<sup>2</sup>*Ibid.*, p. 454.

<sup>4</sup>Luard, p. 7.

<sup>3</sup>*Ibid.*, pp. 408, 410.

<sup>5</sup>*Ibid.*

<sup>6</sup>*Ibid.*

... et eam tum prece tum pretio, tum fame tum ferro, suo dominio subdividerunt.<sup>1</sup>

(2) There are eight classical quotations in the first section of the annals: two from Ovid, one from Horace, one from Vergil, and four from Juvenal. Only one quotation, 'Quam quod ridiculos homines fecit' (Juvenal iii, 153), is used in both annals and chronicle. These authors are the ones whom Richard quotes most frequently in his chronicle.

(3) The dramatic speeches in direct discourse are so characteristic of the chronicle that when one finds them in the annals in the same form he is ready to ascribe them at once to Richard of Devizes. These speeches were, of course, the stock-in-trade of many of the medieval chroniclers, but in Richard's hands they assume a particular liveliness, garnished as they are with his favourite classical quotations and some of his most effective writing. Particularly striking in the annals are Godwin's instructions to the murderers of Alfred,<sup>2</sup> the account of Edward's arrival in England and his recognition by Godwin,<sup>3</sup> and the story of Queen Emma's ordeal by fire in Winchester cathedral.<sup>4</sup> One may compare these with such passages in the chronicle as King Richard's address to his army before the gates of Messina,<sup>5</sup> the deposition of Longchamp,<sup>6</sup> and Safadin's speech before the council.<sup>7</sup>

(4) In addition to the general similarity of style, which is immediately apparent but which is difficult to illustrate by short quotations, a number of phrases are either identical or almost so in the two works.

... assumptus—an dicam retractus—fuit ad regnum de clericatu (Annals).<sup>8</sup>  
 ... dolore—an dicam devotione?—dejecit se in sectam Cartusiae (Chronicle).<sup>9</sup>

Daci ... ut erant natura potatores lectissimi (Annals).<sup>10</sup> ... et potatores lectissimos potione pavoris exebriaret Angligenas (Chronicle).<sup>11</sup>

... inter amplexus et oscula (Annals;<sup>12</sup> Chronicle<sup>13</sup>).

Videte miraculum (Annals;<sup>14</sup> Chronicle<sup>15</sup>).

While none of these reasons, taken by itself, is enough to constitute solid proof, the combined force of the four establishes firm ground for believing that Richard of Devizes is the author of the annals in 'A'.

A further connexion between the annals and the chronicle may be found in the remark in the annals concerning Ethelwold: 'Non fuit iste primus, nec erit novissimus, qui doluit aut dolebit suae uxoris pulchritudinem. Vidimus et nos aliquem pro pulchra uxore aliquid pertulisse'.<sup>16</sup> Although this may be nothing more than the pious moralizing to which many of the writers of the time were addicted, on the other hand it may well be a reference to Queen Eleanor, in the same vein as the famous marginal entry

<sup>1</sup>MS. 'A', fo. 24v; cf. Luard, p. 50.

<sup>2</sup>Luard, pp. 17-19.

<sup>3</sup>Howlett, pp. 397-9.

<sup>4</sup>Luard, p. 8.

<sup>11</sup>Howlett, p. 444.

<sup>14</sup>Luard, p. 24.

<sup>2</sup>*Ibid.*, pp. 19-20.

<sup>3</sup>*Ibid.*, pp. 415-18.

<sup>4</sup>Howlett, p. 403.

<sup>12</sup>Luard, p. 13.

<sup>13</sup>Howlett, p. 394.

<sup>4</sup>*Ibid.*, pp. 22-4.

<sup>7</sup>*Ibid.*, pp. 445-8.

<sup>10</sup>Luard, p. 19.

<sup>13</sup>Howlett, p. 395.

<sup>16</sup>Luard, p. 12.

in the chronicle.<sup>1</sup> Another contemporary reference in the annals may perhaps be found in the remark concerning Ethelwulf and his sons: 'De quibus non minus gavisus est quam quendam nostri temporis regem vidimus fuisse gavisum de filiis suis'.<sup>2</sup> This probably refers to Henry's great Easter court at Winchester in 1176, when the young Henry, Richard, and Geoffrey were all present, and 'cum magno gaudio a domino rege patre eorum recepti sunt'.<sup>3</sup>

The section of the annals in 'B' extending from 1066 to 1139 presents a difficult problem. This section is fuller than the corresponding one in 'A' and has many extracts from William of Malmesbury, who is not quoted in 'A'. 'B' is not, however, a mere amplification of material from 'A', with the added quotations. Although both annals often tell of the same events, it is only rarely that they use the same language. There is just enough difference between the two to make it clear that 'B' was not copied directly from 'A'. Furthermore, the section in 'A', although much shorter than the corresponding one in 'B', contains material that is not found in 'B'. The events of the year 1066, the episode of Hereward the Wake, the doings of Robert Curthose, who is treated in a sympathetic manner, and the accession and early years of King Stephen are narrated more fully in 'A' than in 'B' and from a different point of view. The dates appear to have been jotted in the margin almost at random, and a number of entries are quite confused. If 'A' is considered as the basis of 'B', it is difficult to understand why the author of 'B' would go to such pains to introduce slight variations at almost every point where they coincide. On the other hand, these coincidences are so marked that there must be a close connexion between the two manuscripts in this section. One may hazard the conjecture that a version intermediate between the two, using Richard's text as a basis but written by a different author, may have existed at one time.

The section in 'B' from 1139 to 1190 has only a few sentences for each year. Apart from the frequent mention of Winchester, it could have been written by almost any literate monk in England. This section ends in the middle of a proper name in the year 1190, at the end of a verso page, which opens the door to speculation that the pages immediately following were removed because they contained the years covered in greater detail in Richard's chronicle. The annals resume with the year 1196 and continue in the same hand to the middle of 1202. Immediately one notices a great difference. Instead of the brief, dull entries of the preceding section, there is presented, in the liveliest style, the story of the outrage on Bishop Peter of St. David's,<sup>4</sup> the mocking account of the conversion of Walter, prior of Bath, to the Cistercians,<sup>5</sup> the tale of the field cursed by its owner,<sup>6</sup> the story of Queen Joan's torturing of 'Petrus Basilius', who loosed the arrow that killed her brother Richard,<sup>7</sup> and finally the ludicrous account

<sup>1</sup>Howlett, p. 402.

<sup>2</sup>*Gesta Regis Henrici Secundi*, ed. W. Stubbs (2 vols., Rolls Ser., 1867), i. 115.

<sup>4</sup>Luard, p. 66.

<sup>6</sup>*Ibid.*, p. 69.

<sup>3</sup>Luard, p. 8.

<sup>5</sup>*Ibid.*, p. 68.

<sup>7</sup>*Ibid.*, p. 71.

of the two 'pseudo-sacri',<sup>1</sup> so similar in style to Richard's tale of the boy-martyr at Winchester that one feels certain that no one but Richard of Devizes could have written this section.

With the concluding section of the annals, written in a different and later hand from 1202 to 1277, we are not here concerned.

If 'A' is in the hand of Richard of Devizes and the section from 1196 to 1202 in 'B' is of Richard's authorship but not in his handwriting, then one must assume the existence of an earlier version of that section, now lost, in Richard's handwriting. This surmise is supported by a notation at the end of the annals in 'A', in a later hand, to the effect that there was another copy continuing up to 1245 'apud Thomam Knyght, bibliopolam' (fo. 24v). Stevenson, in his edition of the chronicle, pointed out that 'a note appended to a copy of the Chronicle of Peter de Icham<sup>2</sup> in the Bodleian Library (Laud 61)<sup>3</sup> refers to a third manuscript'.<sup>4</sup> That copy may well have been the version intermediate between 'A' and 'B' and may have contained the original draft of the section from 1196 to 1202, as well as the intermediate version of the annals from 1066 to 1139, mentioned above.

It may be valuable, in concluding, to quote the more interesting entries from 'A' which have not been published and differ from the version in 'B'.

JOHN T. APPLEBY

*Cambridge, Corpus Christi College MS. 339*

(1066) Haroldus filius Godwini rex Anglie. Iste non erat de regio semine, quia in Edwardum defecerat Anglorum genus regium.

Haroldus rex, si sapienter ageret quicquid agebat furore, nullus hominum illi resistisset. Sed adeo erat animi inconstantis, quod nullus suorum se credidit illi. Vnde cum primum exercitum duxisset in Vectam insulam ut ibi prestolaretur Willelmum ducem, cum bello exciperet, exercitus eius diffugit ab eo.

Willelmus dux Normannorum, uidens quia illusus esset ab Haroldo, collecto exercitu ualido applicuit in Angliam apud Peuese, qui mox de nauium materie construxit castellum apud Hanstinges. [fo. 21v]

Haroldus rex, cognito Normannorum aduentu, prepropere cum paucis exercitu uenit eis in obuiam, et protinus commissa pugna, in loco qui Bellum dicitur cum omnibus suis occubuit. Cuius corpus inuentum inter occisos sepeliendum apud Waltham a duce Willelmo missum est matri sue.

Volunt tamen quidam Anglorum quod Haroldus uiuus euaserit et adhuc uiuat cum Arturo rege Britonum.

Aldredus Eboracensis archiepiscopus et Eadwinus et Morcardus comites, qui in certamine non fuerant, et Wulfstanus Wigornensis et Walterus Herefordensis episcopi et de Londonia quique nobiliores occurrerunt Willelmo duci apud Berchamestede, et deducentes illum Londoniam dederunt illi ciuitatem et arcem, et fecerunt ei fidelitatem, eligentes eum in regem, et consecratus est in

<sup>1</sup>Luard, pp. 74-6.

<sup>2</sup>Which immediately follows Richard's chronicle in 'A'.

<sup>3</sup>Now MS. Laud Misc. 730.

<sup>4</sup>*Chronicon Ricardi Diuiniensis*, p. vii, n. 5.

regem ab Aldredo archiepiscopo Eboraci apud Westmonasterium in die Natalis Domini, que tunc erat in die lune.

(1067) Willelmus dux Normannorum rex Anglie. Iste construxit abbatiam de Bello, cuius edificia tali prouisione locata sunt quod magnum altare in eodem loco est ubi corpus Haroldi regis fuerat inuentum.

(1069) Tres comites, scilicet, Herewardus, Morgarus, et Siwardus, et Agelinus Dunelmensis episcopus cum copiis suis infra Heli paludem se colligentes, a rege Willelmo ad deditionem coacti sunt omnes, preter Herewardum, qui solus euasit ad horam. [fo. 237]

(1077-9) Robertus primogenitus Willelmi regis, cum Neustriam pleno nomine ducis possidendam non optinuisset, a patre conuersus est in arcum prauum, et a patre recedens post plurimas infestationes illi illatas, ipsum etiam in bello uulneratum deiecit ab emissario. Maledixit igitur pater filio, cuius maledictionis idem Robertus priusquam moreretur sensit effectum. [fo. 220]

(1088) Robertus enim erat in Alemannia colligens exercitum contra patrem, et Willelmus, utriusque fratrem metuens, reliquit patrem morientem et festinus enauigans Angliam, consecratus est in regem a Lanfranco archiepiscopo apud Westmonasterium vi. kal. Octobris.

(1089-90) Robertus cognita morte patris et coronatione fratris, omni qua potuit celeritate regressus Neustriam, inuitatus est a maioribus Anglie et incitatus a maioribus Nustrie ut Angliam cum exercitu regnaturus expeteret. Fit coniuratio ualida contra regem, et Robertus, ut haberet unde milites conduceret, oppignerauit mediam partem Neustrie preter castella Henrico fratri suo. Et mox contracto exercitu Hamtonam appulit cum fratre rege preliaturus, et iunxerunt se illi coniuratorum agmina fortia ualde. Rex e contra Willelmus, collecto quanto poterat exercitu, sentiens fortior esse exercitum fratris quam suum et sciens quod frater eius homo esset inconstans, quem uiribus non poterat temptauit calliditate deicere. Misit ad eum nuntios qui eius impetus huiusmodi allegationibus frangerent. Germanus eius Willelmus non se clamabat regem nisi per illum, qui erat regno dignior et maior natu. Non usurpauerat coronam ad fratris iniuriam, quam pro eius absentia magnates regni illi crediderant. Willelmus non se uocat regem, sed subregulum tuum, qui, quia ita contigit quod coronatus est, petit ut de sub te regnatura annum tributum recipias <sup>iii</sup> marcarum argenti, et qui alterum superuexerit, honores habeat utriusque.

(1091) Robertus, qui similis erat arundini, non expectato suorum consilio, consensit in transactionem, et dimisso exercitu cum rege pacem fecit et in Neustriam reuersus est, nichil secum nisi promissas referens. [fo. 237]

(1100) Roberto duce Normannorum morante in peregrinatione, qui ex condicto debuerat Willelmo in regnum succedere, Willelmus interea in Noua Foresta in uenando transiectus iaculo et uita priuatus, sepultus est in ecclesia Sancti Swithuni Wintonie. Missum est continuo in Neustriam a maioribus Anglie propter Henricum filium prioris regis Willelmi, fratrem secundi. [fo. 237]

(1118) Eodem anno Fulco comes Andegauorum, relicto comitatu suo Gaufrido Plantegenest filio suo, Ierosolimam adiens consecratus est ibi in regem Ierosolimorum. Pulcra Dei prouidentia, ut illa regnaret in oriente generator cuius gens regnatura erat in occidente. [fo. 247]

(1135) Non fuit facta usque ad diem illum in Anglia tam priuata regis consecratio. Nemo fuit ibi magnatum regni, nulla canibucca, nisi solius archiepiscopi et duorum episcoporum.

Dicitur quod cum rex communionem Corporis Christi hianti ore esset

percepturus, Eucaristia inter manum archiepiscopi et os regis subito elapsa disparuit.

Henricus episcopus, iam secundus rex, mandauit quibuslibet magnatibus regni ut ad regem uenirent et homagium facerent aut regnum exirent.

(1136-7) Refertur interea rumor ad regem Stephanum quod imperatrix expectatura erat Angliam cum innumero exercitu Normannorum, Andegauensium, Britonum, et Pictauesium conductorum. Quod rex super modum metuens, conuocatis ad se maioribus regni, omnibus modis omnium mentes in amorem sui trahere conabatur. De dominiciis suis fecit baronias nouas et comitatus, ut pluribus susciperetur adiutoribus.

Concessit omnibus libere tenentibus ut quilibet in fundis suis constellum construxerant et quantas uellent munitiones, et haberent canum et auium libertatem.

(1138) Curia tota consensit nullique libentior umquam responsura sono, gratias egit pro sua sibi libertate concessa. [fo. 24v]

### *The 'Cronica Buriensis' and the abbey of St. Benet of Hulme*

THE *Cronica Buriensis*, so called by its editor, Thomas Arnold,<sup>1</sup> is a history of the Benedictine abbey of Bury St. Edmund's from its refoundation by King Canute in 1020 to 1346. The only known text is a fair copy of about 1400 in a volume from the library at St. Edmund's abbey, now Cambridge University Library Additional MS. 850, fos. 25v-48v: it is incomplete at the end, a gathering of eight leaves having been lost.<sup>2</sup>

The *Cronica* is not a methodical record of events with entries for each year. It has the succession of the abbots of Bury and notices of important events in the abbey's history, omitting many years altogether. Arnold treated the *Cronica* as the work of one man. It is, however, almost certainly a composite work, compiled by more than one author and at more than one time. Exactly how many contributed is unknown but there is evidence suggesting changes of authorship in 1327 and 1335. The work must have been completed before about 1400, the approximate date of the manuscript. The annal of 1327 reads like a contemporary account of the events it records.

<sup>1</sup> *Memorials of St. Edmund's Abbey* (3 vols., Rolls Ser., 1890-6), iii, pp. vii-xv, 1-73 (hereafter referred to as Arnold).

<sup>2</sup> The medieval foliation jumps from fo. ccxxi (fo. 48 of the modern foliation) to fo. ccxxx (now fo. 49). The *Cronica* today ends with a complete sentence as the first word or two of the next sentence, at the end of the last line on fo. 48v, have been totally erased by scraping. Arnold does not note that the text is incomplete.

The choice of events to be recorded may have been determined partly by the availability of material. To 1292 the text is mainly composed of extracts from other chronicles; and from 1301 (there are no entries for the years 1293 to 1300) of documents. There are a few passages which are neither citations from known literary works nor from documents. Two of them have information not to be found in other literary sources. One relates to the collection of an aid in 1212 from the town of Bury by a monk, instead of as was customary by the burgesses.<sup>1</sup> The second is the account of the revolt of the town against the abbey in 1327; this is independent of the account written at Bury, the *Depraedatio Abbatiae*.<sup>2</sup>

Arnold's identification of citations from, and passages reminiscent of, other chronicles in the *Cronica* is incomplete and somewhat misleading. He printed citations in small type with the name of the work in which they occur in the margin. He also printed letters and other documents in small type. He does not, however, mention that the *Cronica* is also related to a number of other works. The account at the beginning of the *Cronica* of the refoundation of Bury by monks of St. Benet of Hulme and of Ely appears to be mainly a conflation of the account inserted in the mid-twelfth-century copy of Florence of Worcester from St. Edmund's abbey (MS. Bodley 297, p. 350)<sup>3</sup>, that in the registers of Hulme and Bury (Brit. Mus., Cotton MS. Galba E. ii, fo. 36v<sup>4</sup>, and Brit. Mus., Harley MS. 1005, fos. 35, 35v respectively), both of about 1300, and that in the volume of St. Edmund's life and miracles, written in the last half of the fourteenth century (MS. Bodley 240, fo. 638; the passage has the rubric 'ex cronicis de Hulmo').<sup>5</sup> The details of the confraternity between Hulme and Bury which follow in the *Cronica* are almost verbatim in Cotton MS. Galba E. ii, fo. 36v and Harley MS. 1005, fos. 35, 35v.<sup>6</sup> The succession, with short lives, of the Bury abbots recorded in the course of the *Cronica* is probably derived from a list like that in the fifteenth-century Lakynheth register of Bury (Brit. Mus., Harley MS. 743, fos. 52-3)<sup>7</sup> and the notice of Abbot Baldwin's building activities resembles that in Hermann's *De*

<sup>1</sup>Arnold, iii. 9-10. Noticed by M. D. Lobel, *The Borough of Bury St. Edmunds* (Oxford, 1935), p. 124.

<sup>2</sup>Printed Arnold, ii. 327-54. For the account in the *Cronica* see below p. 81. For the revolt see M. D. Lobel, 'A detailed account of the 1327 rising at Bury St. Edmund's and the subsequent trial', *Proc. Suffolk Inst. Archaeol.*, xxi (1933), 215-31.

<sup>3</sup>Printed Arnold, i. 341-2.

<sup>4</sup>Printed W. Dugdale, *Monasticon Anglicanum*, ed. J. Caley, H. Ellis and B. Bandinel (6 vols. in 8, 1817-30), iii. 135 (hereafter referred to as *Mon. Angl.*).

<sup>5</sup>Printed Arnold, i. 359.

<sup>6</sup>The version in the *Cronica* ('Crescente autem ibidem religione . . . unus fratrum loci illius collocetur:' Arnold, iii. 2) differs from that in Cotton MS. Galba E. ii (printed *Mon. Angl.*, iii. 135) and Harley MS. 1005 in omitting a sentence reading 'quod usque in eternum gratia Dei firmiter observabitur' after 'omnibus aliis bonis Deo placitis' and adding two sentences at the end reading 'Abbates vero utriusque ecclesie . . . frequentius exhibetur'.

<sup>7</sup>Printed *Mon. Angl.*, iii. 155-6.



*Miraculis Sancti Edmundi*.<sup>1</sup> There are citations which appear to be from the chronicle of John of Wallingford.<sup>2</sup>

Arnold recognized citations from, and passages reminiscent of, Jocelin's life of Abbot Samson,<sup>3</sup> the *Annales Sancti Edmundi* (a chronicle of the world from the Incarnation to 1212 compiled at Bury),<sup>4</sup> the *Electio Hugonis* (an account, with documentation, of the disputed election as abbot of Bury of Hugh de Northwold 1213-14),<sup>5</sup> and the *Chronica Maiora* of Matthew Paris.<sup>6</sup>

He noticed that the *Cronica* contains citations from the chronicle, compiled at Bury in the last half of the thirteenth century, covering the period from the Creation to 1301, which has been attributed to John de Everisden. But, though he identified some citations from 'Everisden', he overlooked many more. He used the only printed text of 'Everisden', appended by Benjamin Thorpe to his edition of Florence of Worcester (English Historical Society, 1848/9). Thorpe printed from the version of 'Everisden' in Corpus Christi College, Cambridge, MS. 92, which was written for Peterborough abbey. It only covers the years from 1152 to 1295 and omits many passages relating to Bury which occur in the best text of the chronicle written at Bury.<sup>7</sup> The *Cronica* cites many of these

<sup>1</sup>Printed Arnold, i. 26-92. Cf. *ibid.*, iii. 4 and i. 85.

<sup>2</sup>Brit. Mus., Cotton MS. Julius D. vii, fos. 61-110, for which chronicle see R. Vaughan, 'The chronicle of John of Wallingford', *Eng. Hist. Rev.*, lxxiii (1958), 66-77, and the same, 'The chronicle attributed to John of Wallingford', *Camden Miscellany*, xxi (1958). Citations from it in the *Cronica* are: s.a. 1210 (Arnold, iii. 9) 'cum filio suo capta . . . ibidem fame interiit'; s.a. 1214 (*ibid.*, pp. 10-11) 'Hic legationis suae officium. . . His ita gestis ad propria remearunt'.

<sup>3</sup>The account of St. Edmund's translation in 1198 in the *Cronica* (Arnold, pp. 7-9) is related to that in Jocelin (*The Chronicle of Jocelin of Brakelond*, ed. H. E. Butler (1949), with an English translation, pp. 112 sqq.).

<sup>4</sup>The work is incomplete at the end owing to the loss of leaves. Extracts printed Arnold, ii. 3-25, and F. Liebermann, *Ungedruckte Anglo-Normännische Geschichtsquellen* (Strassburg, 1879), pp. 97-115. The account of Abbot Samson's death in the *Cronica* (Arnold, iii. 9) is a citation from it.

<sup>5</sup>Printed Arnold, ii. 29-130. The account in the *Cronica* (*ibid.*, iii, pp. vii, 11-26) has briefer narrative passages than the *Electio* but has transcripts of three letters not in the *Electio*, viz: the letter ratifying Hugh's election (*ibid.*, p. 14), letter from the archbishop of Canterbury, Stephen Langton, to Pope Innocent III (*ibid.*, pp. 15, 16), letter from Eustace, bishop of Ely, to Pope Innocent III (*ibid.*, p. 16).

<sup>6</sup>The notice of the death of Hugh de Northwold, bishop of Ely, formerly abbot of Bury, in 1248 (*ibid.*, p. 29), 'quandoque abbas sancti Edmundi . . . ita et episcopus episcoporum coruscavit', is in *Matthaei Parisiensis Chronica Majora*, ed. H. R. Luard (7 vols., Rolls Ser., 1872-83), v. 454-5.

<sup>7</sup>College of Arms, MS. Arundel 30. For the 'Everisden' chronicle and the manuscript texts see V. H. Galbraith, 'The St. Edmundsbury chronicle, 1296-1301', *Eng. Hist. Rev.*, lviii (1943), 51 sqq. Since Professor Galbraith wrote his article another manuscript (to 1283) of 'Everisden' has come to light, which is now in the Moyes Hall Museum at Bury St. Edmunds. An edition of MS. Arundel 30 has been prepared by the present writer for future publication in *Nelson's Medieval Texts*.

passages omitted in the Peterborough text: Arnold did not recognize them.

Arnold indicated that the *Cronica* has citations from the chronicle of English history to 1292 composed at St. Benet of Hulme and attributed to John de Oxenedes.<sup>1</sup> Yet the passages which he ascribed to 'Oxenedes' are citations in 'Oxenedes' from 'Everisden'.<sup>2</sup> Collation of the *Cronica*, 'Everisden' and 'Oxenedes' suggests that these passages in the *Cronica* are citations from 'Everisden' and not 'Oxenedes': only two passages (not identified by Arnold) in the *Cronica* are in 'Oxenedes' and not in 'Everisden'.<sup>4</sup> Collation also indicates that the *Cronica* and 'Oxenedes' cite the same version of 'Everisden', but that this version differed from those surviving today. Thus *s.a.* 1071 both the *Cronica* and 'Oxenedes' omit the first line of the verse inscribed on the altar which Pope Alexander II gave to Baldwin abbot of Bury; the line is in all the known texts of 'Everisden'.<sup>5</sup> Another variant suggests that the lost version was not written at Bury: *s.a.* 1275 the *Cronica* and 'Oxenedes' add the phrase 'apud sanctum Edmundum' to the statement in 'Everisden' that the chapel

<sup>1</sup>*Chronica Johannis de Oxenedes*, ed. H. Ellis (Rolls Ser., 1859) (hereafter referred to as Ellis).

<sup>2</sup>'Oxenedes' has citations from 'Everisden' for the years 1020 to 1169 and 1258 to 1292 (the St. Albans chronicles are the main sources for the intervening period). Ellis apparently only knew the text of 'Everisden' from Thorpe's edition of Florence of Worcester and so did not identify many of the citations from it in 'Oxenedes'. The connexion between 'Oxenedes' and 'Everisden' is noticed in *Bartholomaei de Cotton, monachi Norwicensis, Historia Anglicana*, ed. H. R. Luard (Rolls Ser., 1859), p. lvii.

<sup>3</sup>'Oxenedes' has passages from 'Everisden' not in the *Cronica*, and the *Cronica* has some not in 'Oxenedes'. It is possible that the *Cronica* cites 'Oxenedes' for passages common to 'Oxenedes' and 'Everisden', and only cites 'Everisden' directly for passages not in 'Oxenedes'. However it is more likely that the *Cronica* throughout cites 'Everisden' directly, as 'Everisden' is a better authority for Bury history than 'Oxenedes'. Collation supports this view: some of the 'Everisden' citations in the *Cronica* are fuller than in 'Oxenedes' which omits short sentences (e.g. 'Oxenedes' omits from 'Everisden' citations *s.a.* 1279 'Dominica videlicet in albis, . . . manerium suum,' *s.a.* 1282 'Fraternitas etiam Duodene . . . xii marcas fuit taxata'; both sentences are in the *Cronica*: see Ellis, pp. 253, 259; College of Arms, MS. Arundel 30, fos. 166v, 169; Arnold, iii. 33, 35). Also 'Oxenedes' has some readings in 'Everisden' citations different from those in both 'Everisden' and the *Cronica* (e.g. *s.a.* 1275 'fuerunt' before 'apud sanctum Edmundum'; 'Everisden' and the *Cronica* read 'venerunt': Ellis, p. 246; College of Arms, MS. Arundel 30, fo. 162; Arnold, iii. 31). Similarly 'Oxenedes' does not derive 'Everisden' citations from the *Cronica* as it has phrases from 'Everisden' not in the *Cronica* (e.g. *s.a.* 1282 like 'Everisden' it has 'modo predicto' before 'cepit contributionem'; the *Cronica* omits these words: Ellis, p. 258; College of Arms, MS. Arundel 30, fo. 169; Arnold, iii. 34).

<sup>4</sup>Details of the expulsion of the Jews, *s.a.* 1290, and of the king's visit to Bury in 1292 (Arnold, iii. 35-6) are in 'Oxenedes' (Ellis, pp. 277, 285) but not in 'Everisden'. Cf. the briefer entries in College of Arms, MS. Arundel 30, fos. 177v, 184v.

<sup>5</sup>Cf. Arnold, iii. 3; Ellis, p. 34; College of Arms, MS. Arundel 30, fo. 133v.

of St. Edmund was pulled down; in the same entry they read 'creditur' for 'credimus' at the beginning of the sentence 'illam [capellam] fuisse que ad opus sancti Edmundi primo fuit constructa'.<sup>1</sup>

Collation of 'Oxenedes' with the extant texts of 'Everisden' suggests that the lost version ended in 1290. Though the annals for 1291 and 1292 in 'Oxenedes' appear to be related to 'Everisden', they contain such striking variants as to suggest that the author was using a draft of 'Everisden' and some of the same documents as the Bury chronicler used, together with his own knowledge. For example, the copy of Edward I's letter of 1291 relating to the Scottish succession case is addressed to the abbot and convent at Bury, but the letters recited in it of submission of the competitors to Edward's judgment are in Latin, though in 'Everisden' they are in French.

The probability, although unknown to Arnold, that the *Cronica* cites the same version of 'Everisden' as the Hulme chronicle attributed to Oxenedes, supports his view that the *Cronica* was compiled at Hulme. Arnold writes (p. vii) of the *Cronica*: 'this chronicle, as many indications go to show, was written by a monk of St. Benet Hulme'. Undoubtedly three indications led Arnold to his conclusion. The first was the opening paragraph concerning the part played by St. Benet of Hulme in the foundation of Bury and the close relationship between the houses. The second was the presence of twelve letters to the abbot of Hulme, mostly from the abbot, prior and others at Bury, and of two from him (all relating to Bury), dated or dateable 1301 to 1335 (the last letter cannot be dated exactly but was probably written after 1335 and certainly before 1346).<sup>2</sup>

Arnold's third probable reason for ascribing the *Cronica* to Hulme was the inclusion in the vivid and surely contemporary account of the revolt of the town of Bury, which broke out on 14 January 1326/7, of a description of the flight of the sacrist, William de Stowe, to Hulme.<sup>3</sup> It relates that Stowe hardly escaped, climbing the town wall with a ladder, helped by a carpenter, in the middle of the night, and reached Hulme only after evading an ambush at Newmarket. The *Cronica* does not record the length of his stay: it reads 'venit ad sanctum Benedictum die Dominica proxima sequente, ibique moratus est usque ad . . .', leaving a blank for the date of his departure. Presumably Stowe was still at Hulme at the time of writing. One of the letters, dated 1 February [1326/7], is from the abbot of Bury thanking the abbot of Hulme for his hospitality to the unfortunate Stowe and asking for its extension.<sup>4</sup> The *Cronica* records that other Bury monks who were on holiday in the country, took refuge at Hulme but returned to Bury where they were imprisoned. It is not

<sup>1</sup>Cf. Arnold, iii. 32; Ellis, pp. 246-7; College of Arms, MS. Arundel 30, fo. 162v.

<sup>2</sup>Arnold, iii. 48. It is a letter from William de Stowe as prior of Bury to John abbot of Hulme (1325-46) asking him to send three or four monks to the feast of St. Edmund. It follows a letter dateable to 1335.

<sup>3</sup>*Ibid.*, p. 39.

<sup>4</sup>*Ibid.*, p. 41.

unlikely that the chronicler obtained his information from the refugees themselves.

This evidence only suggests that the *Cronica* as far as the end of the fourteen 'Hulme' letters was composed at Hulme. It is likely that the rest of it was written at Bury, for its contents have nothing to do with Hulme. They are documents relating to the dispute between William Bernham, abbot of Bury 1335 to 1361, and John, abbot of the Premonstratensian house of Langley, over the reception at Bury of a fugitive canon of Langley, and to the dispute, 1345 to 1346, between Abbot William and William Bateman, bishop of Norwich, over the abbot's spiritual jurisdiction.

The reason why a history of Bury should have been written at Hulme is obscure. Possibly it was one result of the close relationship between Bury and Hulme. The *Cronica* shows that it was customary for the abbots to attend each other's election, installation and funeral.<sup>1</sup> The deed of confraternity which must underlie part of the opening paragraph stipulated that the houses were to help each other in times of poverty or trouble (such as fire or war), if necessary harbouring half the inmates of the stricken house. This deed of confraternity seems to have belonged to the type which Professor Knowles suggests was 'a kind of insurance on the part of the communities'.<sup>2</sup>

The interest of the Hulme monks in Bury must have been stimulated by the town's attack on its privileges and the flight of monks to Hulme. Several of the fourteen 'Hulme' letters and one other document<sup>3</sup> in the *Cronica* relate to the revolt. One is a papal bull appointing the abbot of Hulme legate to announce the excommunication of the rioters. If the revolt was the cause of the writing of the *Cronica* to 1327, the possibility cannot be disregarded that one of the Bury refugees at Hulme had a hand in it.

ANTONIA GRANSDEN

### *A Kent Approver of 1440*

DOCUMENTS IN ENGLISH in fifteenth-century Coram Rege Rolls are unusual. The following, which comes from the Hilary term 1440, is explained by the fact, stated at the end, that the appeal it contained was made by an approver who understood neither Latin nor French, and requested the coroners to enrol his statements in the vernacular in which they had been delivered. The matter of the appeal is of some interest not only as the vivid account of some grotesquely contrived plotting, but

<sup>1</sup>Arnold, iii. 36-8. Cf. pp. 47-8.

<sup>2</sup>M. D. Knowles, *The Monastic Order in England* (Cambridge, 1941), p. 474.

<sup>3</sup>The verdict of a jury on damage done to the abbey by the townsmen, etc. Arnold, iii. 46-7.

also for its bearing on the Kentish political scene, a decade before Cade's rebellion.

Robert Goodgrome alias Grene of Ospringe, Kent, was a mole catcher. We do not know the precise circumstances which had turned him into an approver, when he came before the coroners at Maidstone on 12 and 14 January 1440, to appeal various persons of treason. His story could hardly be told more graphically than it was in his own words. The gist of his main charge was that in October 1438 at Graveney, Kent, he had stumbled on a plot to poison the king and the dukes of Gloucester and Norfolk, at Christmas 1439. The parties to this alleged conspiracy were Richard Croft of Graveney, John Seintcler of Faversham, Kent, John Liverton of York, and John Steyngate of Lowestoft. Having been admitted to their secrets after his accidental discovery of the preparation of the poison, Goodgrome had (according to his own account) visited Liverton in York, where he had received some proof of the latter's treasonable conviction.

Richard Croft lived at Graveney in the same household as one Thomas Burgeys, squire, who was the subject of another of Goodgrome's charges. He was alleged to have actually made use of the poison on John Martin, a justice, who 'sholde have levyd tille this day', had he not met his end (it was said) on 22 May 1436 at the hands of Burgeys and Seintcler and their lethal potion.<sup>1</sup> Subsequently, we learn, Burgeys had succeeded to the hand of the justice's widow.<sup>2</sup> The remaining appeals related to John Dandelion, 'gentleman', of the Isle of Thanet, who according to Goodgrome had been supplying grain to the enemy in Flanders in 1438, and Thomas Wolf of Stalisfield, Kent, who, with John Seintcler, was alleged to have plotted at Faversham against Edward Guildford, sheriff of Kent, in March 1439.

On 9 February 1440 the five Kent appellees were committed to the Marshalsea. They did not have to remain there long, however. Having produced a good muster of mainperners, who included various 'gentlemen' of Kent, they pleaded not guilty, and were all acquitted early in May. It was Robert Goodgrome who was condemned to the traitor's death of being drawn, hanged at Tyburn and quartered, his head to be set up on London Bridge and his quarters on the four chief gates of the city.<sup>3</sup>

• Who were the people against whom these circumstantial accusations were made, and what may have been the truth of the charges laid against them?

What little can be learnt from published sources of the subjects of the appeals does not tend, on the whole, to add to the reputation of those who

<sup>1</sup>*Cal. Close Rolls 1435-41*, p. 115, records the grant in Nov. 1436 by John Martin, son and one of the executors of John Martin, one of the justices of the Common Bench, to two persons, of all the goods and chattels of his late father.

<sup>2</sup>In her will, dated at Graveney, 8 April 1458 disposing of various properties in the neighbourhood of Faversham, Anne described herself as 'sometyme the wif of John Martyn Justice, late the wif of Thomas Burges' (*Hist. MSS. Comm.*, 5th Rept. (1876), app., p. 460). John Martin had also lived at Graveney (*ibid.*, p. 433; cf. *Cal. Close Rolls 1454-61*, p. 182).

<sup>3</sup>Public Record Office, KB 27/715, Rex m. 20.

supported and acquitted them. It suggests also that Goodgrome's course probably from the first did not stand much chance of success. For in a society where local government service was an important passport to influence, Thomas Burgeys and John Seintcler (and probably also Richard Croft), were far better placed than a mere mole catcher recently come to Kent from London. As local squirearchy they were active in the variety of commissions and enquiries which normally occupied the smaller landholding gentry. Not all of this service seems to have been impeccable. The decisions of an inquisition in Kent in February 1438, of which Burgeys was a member, and which had found various merchants guilty of shipping uncustomed goods from the county, were revoked the following year for various of those condemned, after their petitions in chancery that the charges were baseless, brought out of malice, even that the accused had never set foot in Kent.<sup>1</sup> If these were cases of administrative error, Thomas Burgeys's record is not improved by the fact that he, like Seintcler and Croft, appears among the men of Kent who received pardon for participation in the events of 1450.<sup>2</sup> But his career seems to have remained as unaffected by this as by any earlier doubts which had been cast upon his honour. In 1450 and 1451 Burgeys was a commissioner of the peace in Kent, and both he and Seintcler were appointed in 1452 to serve on a commission to arrest malefactors in the county.<sup>3</sup> Two years after this, another document tells a suspicious story. A notarial instrument of 1454, relating to some disputed property in Kent, depicted Richard Croft as having (some time earlier) participated in a collusive action, and promised to get the father of one of the litigants 'a general acquitaunce of John Seincler squier and William Barbour gentelman of Feveresham for al maner maters that [he] stoud endaungered unto theym'.<sup>4</sup> All in all we may conclude that such uncertainty of repute tells more, perhaps, about the general character of Kent administration at this time than anything exceptional concerning these men involved in it. But it certainly does not detract from Goodgrome's charge.

The mole catcher's story is set in a disturbed period of Kentish history, which saw several attempted risings. The appeal tells that Edward Guildford,<sup>5</sup> (a local landowner, and often justice of the peace in the county), was regarded as an enemy by Thomas Wolf for having caused certain of his friends 'of the rysynge last in Kent', to be put to death. One may sup-

<sup>1</sup>*Cal. Pat. Rolls 1436-41*, pp. 305, 310-11, 339-40, 512; cf. *Cal. Pat. Rolls 1441-6*, p. 365.

<sup>2</sup>*Cal. Pat. Rolls 1446-52*, pp. 364, 366; B. B. Orridge and W. D. Cooper, *Illustrations of Jack Cade's Rebellion* (1869), pp. 25, 61, 63.

<sup>3</sup>*Cal. Pat. Rolls 1446-52*, pp. 577, 590.

<sup>4</sup>P.R.O., C 54/305 m. 26v; *Cal. Close Rolls 1454-61*, p. 42.

<sup>5</sup>Edward Guildford was sheriff of Kent 1438-9. He was appointed in June 1438 to serve on a commission of oyer and terminer to enquire into insurrections, rebellions, felonies, lollardries, robberies etc. in the county. E. Hasted, *The History and Topographical Survey of the County of Kent* (4 vols., Canterbury, 1778-99), i, p. lxxxvii; *Cal. Pat. Rolls 1436-41*, p. 200.

pose that this refers to the events of June 1438, when 'certayne men of Kentte were a-reste at Maydestone for rysynge', after which five of them were executed.<sup>1</sup> This reference draws attention to the long continuity of political, as well as other grievances in Kent, which lay behind the events of 1450. Indeed, some of the points of Goodgrome's appeal deserve comparison with the formulated aims of Jack Cade and his followers. There is Seintcler's mention of purveyance and the high price of corn, and the close concern shown by these Kentishmen for the affairs of the war.

By 1450, however, events had moved forward. After the recent capitulations in France, the rebels complained of reports that 'the King's Lands in France have beene aliened and put away from the Crowne, and his Lords and people there destroyed with untrue meanes of treason'.<sup>2</sup> Goodgrome's appeal suggests, on the other hand, that although Suffolk was beheaded in Dover roads and there were rumours that reprisals would be taken upon Kent, his peace policy may not have been without sympathizers of a humbler sort among the men of Kent, some of whom were able to agree that 'the grete werres of Fraunce is grete hynderynge to this Reme'. It is interesting in this context to note that John Steyngate of Lowestoft obtained licence in July 1437 to use two ships in his possession for supplying fish to the earl of Suffolk's household.<sup>3</sup> By 1450, too, the duke of Gloucester was already three years dead, having ended his life in circumstances which caused some to entertain suspicions of foul play. One wonders how Croft, Seintcler and the others viewed the request of the 'captaine of the great assembly in Kent', for punishment 'upon the false traitors, the which contrived and imagined the death of the high and mightfull excellent Prince the Duke of Glocester'.<sup>4</sup>

If these men could be suspected of complicity in Cade's rebellion, as well as of plotting against leading supporters of the war ten years earlier, are we to suppose that they radically changed their politics in the course of a decade, or that they were prepared to join in any movement which promised a violent end to the lordly leaders of the government? Or were they just a number of opportunist rascals, making what they could in unscrupulous ways in a highly unscrupulous society? Or should we simply discredit—as the authorities at the time apparently chose to—the whole of Goodgrome's account? In the state of the evidence, our answer remains dependent upon our predispositions. One thing is certain. Kent society, even more than that elsewhere in the fifteenth century, was a fertile field for feuds and rebellions, public and private. And from such a breeding ground the events of 1450 were born.

MARGARET ASTON

<sup>1</sup>*Historical Collections of a Citizen of London*, ed. J. Gairdner (Camden Soc., new ser. xvii, 1876), p. 181; cf. *Cal. Close Rolls 1435-41*, pp. 197-8.

<sup>2</sup>J. Stow, *Annales* (London, 1631-2), p. 389.

<sup>3</sup>*Cal. Pat. Rolls 1436-41*, p. 72.

<sup>4</sup>Stow, pp. 389-90.

*Public Record Office, KB 27/715, Rex mm. 19r.-v. Kent*<sup>1</sup>

Memorandum quod Hamo Bele et Robertus Est Coronatores domini Regis in Comitatu predicto virtute brevis domini Regis eis inde directi, hac instanti die sabbati proxima post Octabis Purificationis beate Marie isto eodem termino coram domino Rege apud Westm' quoddam appellum per Robertum Godegrome alias dictum Robertum Grene nuper de London', Coryour, versus Thomam Burgeys etc et alios, coram eisdem Coronatoribus factum quodquidem appellum sequitur in hec verba.

Hit is to have in mynde that I Robert Goodgrome of Osprenge in the Counte of Kent, Moltaker, otherwyse called Robert Grene, late of London', Coryour, aprovous of our lord þe kyng, be fore Robert Est and Hamon' Beke [sic] Coroners of our seid lorde the kyng in the seid Counte þat is to wete atte Maydeston', the Tuysday next after the fest of the Epephanye of our lorde ihesu Crist the yere of the reigne of the seid kyng harry the syxte the xvij, knowliche þat aboute xij dayes after the fest of seint Michells the Arkaungelle the yere of the reigne of our seid lorde the kyng the xvij, I the seid Robert Goodgrome, come to the maner of Graveney where þat Thomas Burgeys, Squyer, dwellethe, and ther comynge inwarde mette with oon Richard Crofte of the Parysahe of Graveney of the seid Counte of Kent, yomanne, dwellynge with þe seid Thomas Burgeys, the whiche Richard seid to me þe seid Robert Goodgrome, 'Robert, þu art welcome, for I most lere of the thi crafte for to take molles'. And I, the seide Robert Goodgrome seide to þe seid Richard, 'I shalle you þe seid craft teche gladly if ye wolle it lerne'. Then the seid Richard badde me go in to þe gardyne of the seid maner and aspye for molles if eny were ther in. And as I was walkynge alone in to the seid gardyne warde, I come be an house in the seid maner is called a chese house, and ther then I see agrete smoke in the same house, and so wente forthe to the seid house and fonde the dore of the same house fast shitte. Wherefore I wente to awyndowe of the seid house beyng on the northe syde, and with adagger the seid wyndowe openyd and so lokynge in to the seide house sey alitelle fere under a styllatorye made of erthe, and þer I sey lyenge on achese lath in the seid house an arme and an hande of adede manne. Wherefore I turned ayens and mette with the seid Richard and askid of hym what house the seid chese house was. The whiche Richard answered and seide it was a chese house. And then seide I, 'so me semythe, for I lokyd in and ther I sawe adede mannes arme leyng on a chese vatte'. The whiche seid Richard seide to me the seid Robert Goodgrome, 'A Robert, seyat þu that? I pray the kepe counceyll and holde thi pees, for and þu knowyst as moche as I doo what amanne myghte do with suche an arme, þu woldest use the same craft'.<sup>2</sup> And furthermore þe seide Richard seid to me, 'þu hast acraft the whiche I knowe no manne can but þu, and if þu wilt teche me thi craft I shalle telle the what strengthe þat arme hath, and what power it hath, if þu wilt ensure me þat þu wolt teche me thi craft of takynge of molles'. Whereupon suraunce was made be twene us, and then þe seid Richard seide to me, 'take when þu wolt the arme of

<sup>1</sup>The Controller of H.M. Stationery Office has kindly given permission for the publication of this Crown-copyright material. The punctuation has been modernized.

<sup>2</sup>The use of fragments of corpses in making spells was an ancient practice. Cf. G. L. Kittredge, *Witchcraft in Old and New England* (Cambridge, Mass., 1929), p. 141 et seq.



adede manne þat hath leyn in the erthe ix daies and ix nyghtes, and putte in the dede hande a brennyng candelle, and go to aplace wher þu wilt, and thoughte ther be þerin an C pepille, thei þat slepe shall slepe, and thei þat wake shulle not meve what ever þu do. And also Robert', seide þe seid Richard, 'sene þu art ensured I shall teche þe acraft the whiche shall availe þe in aweke xl li'. And then I seide ayens, 'I gatte not so moche with my craft in alle my lyve, what is your craft? I pray you telle me'. And the seide Richard tolde me, 'þu shalt take v maner herbes, the names of whom I have wretyne in aboke, and þe flesche of adede manne þat hath leyne in þe erthe ix daies and ix nyghtes, and grynde the erbes and the flesche to geder as smalle as mortrewes, and then take and put it in a potte of erthe and stoppe it welle with wax, and sette it doun in the erthe and lete it stonde ther and congele xl daies and xl nyghtes. And then atte ende of xl daies and xl nyghtes take it up and put it in astyllatorie, and stille it to water and put it in pottes, for þu mayst with thre dropes þerof sle bothe manne and best, for þat is the worst poyson in the world'. And then I asked of the seid Richard, 'have ye any of this stondyng in the erthe?' The seid Richard seide 'nay, but I wot wher is'. Then I seyde to þe seid Richard, 'I pray you telle me wher þat is'. And then seide þe seid Richard, 'go to þe place of John Seintcler of Feversham in þe counte of Kent, Gentilmanne, and if þu maist come in to þe gardyne, go in to the northe partie of the seide gardyne in to the corner, and þer shalt þu fynde a potte stondyng in the erthe with þe same mater'. And so then I wente to the place of the seid John Seintcler to Feversham in the seid counte, þat is to wete the xiiij<sup>tho</sup> day after the seid fest of seint michells the xvij yere above seide fro þe seid maner of Graveney. And so I cam and knocked on þe Inner gate, and then come the Botiller of the seid John Seintcler, and asked 'who is ther?'. And then answered I and seyde, 'I am here, Robert Goodgrome, molletaker'. And then seide þe Botiller, 'welcome, come ner and drynke'. And so he hadde me into þe botery and dronke, and then I asked leve of the Botiller to goo in to þe gardyne to seeke after molles, and þe seide Botiller badde me go in goddes name. And then I went into the gardyne of the seid John Seintcler into the northe partie, and þer atasted þe grounde with my molle staff, and ther fonde a potte of erthe conteynyng thre potelles lapped alle aboute in yeloughe wax, covered above with alynnyne clothe, the whiche wax conteyned in thyknesse half an inche. And then I toke away alle the erthe aboute þe potte and toke my knyf and cutte up an hole of þe waxe upon þe pottes mouth, and þer come out of þe seide potte a fowle smoke and agrete stynke. And then I loked into the potte and it was with in as blakke as picche, and þerfore I covered þe potte ayens with the lynnene clothe and the erthe. And in the mene tyme come þe seid John Seintcler, his wief, and his manne fro the chirche of Feversham thurghs amede into the seid gardyne be aposterne gate, and he seyng me, the seid Robert Goodgrome aboute the seid potte, come to me with abaselard drawe, called awodeknyf, and his manne with adagger drawe, and seide to me, 'what makist þu here, thef? þu shalt be deed'. And ther thei toke me and ledde me out of the seid gardyne into astabylls besyde the utter gate of the seid John Seintcler, and seide þat I shulde be deed but I wolde swere upon aboke þat I sholde never discovere of the potte whiche I hadde seyne. Then I answered and seide, 'sere, how shulde I discure this mater? I wot not what it menythe'. And then seide þe seide John Seintcler þis, 'for I knowe welle, þu nor no manne of Kent ne of Essex' couthe not have founde þat potte with oute þu haddest be taughte þerto be some of my counseille, and

*perfore, sene þu art so ferre of my counseille þu shalt swere upon aboke or elles be ded'. Þe seid John Seintcler sente for aboke and made me to swere, and whenne I was sworne I asket þe seid John Seintcler of what mater I shulde kepe counseille, and þe same John seide to me, 'now þu art swore I shalle telle þe. Loo Robert, þu knowist welle the grete werres of Fraunce is grete hynderynge to this Reme, and also the dere yeres of corne, and also be the takynge of corne be the kyng and other certeyne lordes the which is to the seid Reme and comony gret destruccoñe'. Wherefore þe seid John Seintcler seide þat he and þo þat ben of his counseille and of his assent wolde make aremedy perfore þat ther shulde not be so many lordes in this londe as ther be, nor to have the rewle of this londe as thei have hadde herbefore. Then asked I how many lordes ther were þat sholde be distroied and of what maner and 'ho is of your counseille and assente?' Then seide þe same John Seintcler, 'for as moche as þu art swore to me before and knowist some what of my counseille, I shalle telle þe alle. Ther is oon of the citee of Yorke whos name is John Lyverton', dwellynge in þe citee of Yorke at an Inne called the herte and þe Swanne, yomanne, and anoper whos name is called John of Steyngate of Leyestofte in the Counte of Suff', marchaunt. The thirde is the seide Richard Crofte of Graveney before seid, yomanne. Þat thei, and I the seid John Seintcler of Feveraham in the Counte of Kent, Gentilmanne, þat is to wete þat we to geder in the fest of seint Edward þe kyng and martir the yere of þe reigne of kyng herry the vj<sup>th</sup> after the conquest the xvij<sup>th</sup> accorded and Imagyned how and in what wyse we shulde destroie the lordes above seid'. Then asked I, 'sere, what lordes be tho?' The seid John Seintcler seide 'the kyng is oon, humfrey duke of Gloucestre anoper, the duke of Norfolk the thridde'. Then I asked how this purpos shuld be broughte aboute. Then seide the seid John Seintcler þis; 'with þe potte þat þu fondist in my gardyne and with other craft, for we ben accorded atte Cristemasse comethe twelvemonethe after the fest of seint Edward above seid this purpos shalle be doone and broughte aboute'. Wherupon I toke my leve and wente my wey to London' and occupied me with my craft, þat is to wete takynge of molles, unto the fest of the Epephanie then next folwyng, the xvij<sup>th</sup> yere above seid. And then I, the seid Robert, the Thursday next folwyng after the seid fest of Epephanie, hired an hors of oon Payn' Brewer, dwellyng in Fynkeslane atte Cok on the hope, payng for the seid hors every day iiij d., and so I rode forthe into the northe contrey ward, and come to the cite of yorke the Tuysday next before þe Purificacone of our lady then next folwyng, and rode to the seide Inne of the seid John Lyverton', and ther I was logged fro the seid Tuysday noon til saterday then next folwyng atte none. With in þe which tyme I and the seid John Lyverton' felle in comyncacone, and [he] asked of me of what contrey I was. I seide I was of Kent. He asked me 'what tythinges oute of þat contrey sere?' I seide, 'I canne noon but good save oon John Seintcler of Feveraham grette you weelle, and wold wete if ye wolde kepe your promys þat ye have made or noon, and wheper ye have putte your water in prove or noon'. The which John Lyverton' seide to me, 'for his love þu art welcome, and þat the water is good þu shalt see hit previd'. And so I and the seid John Lyverton' wente into aloft Chamber be syde the Ostrie dore, and ablakke dogge wente with us, and the seid John Lyverton' toke out alittle potte of his righte Sleeve fast closed with a litelle pegge, and ther called the dogge to hym, and droppid thre dropes of þat water upon þe dogges bakke, and þe seid dogge felle doun deed, and his iiij fete upward. 'Loo', he seide, 'here is agood prove'. And I seide unto*

the seid John Lyverton', 'sere, is ther eny mo menne in this contrey þat canne this Craft?' Þe seid John Lyverton' seide 'nay, save oon John of Steyngate of Leyestofte in the Counte of Suff', marchaunt, which is accorded to mete with us atte tyme assigned'. Wher upon I, havynge this knowliche, toke my leve and departid, and come to London'. And so, the seid Tuisday next after the fest of the Epiphanye, the yere of our seide soverain lord the kyng the xvij<sup>th</sup> atte Maydeston', I, the seid Robert, aprovoir of our seide lorde the kyng, be fore the seid Coroners, knowliche my self to be the kynges tretour for as moche as I hadde knowliche of the tresons of the seid John Seintcler, John Lyverton', John of Steyngate and Richard Croft, ayenis our soverain lord the kyng harry the sixte, humfrey duke of Gloucestre, and the duke of Norff', falsly and tretouraly Imagyned, have kept and conseed fro the seid kyng and his counseille and his Ministres unto this day of my knowliche. Wherupon I the seid Robert, aprovoir of our seide lorde the kyng, appele the seid John Seintcler, other wyse called John Gerard of Feversham in the Shire of Kent, Gentilmanne, John Lyverton' of the Citee of yorke, yomanne, John of Steyngate of Leyestofte in the Shire of Suff', marchaunt, and Richard Croft of Graveney in the Shire of Kent, yomanne, of that þat thei falsly and tretouraly atte Feversham in the seide fest of seint Edward the kyng and martir, the xvij<sup>th</sup> yere of the kyng above seide, Imagyned and conspyrd the dethe of our seide soverain lorde the kyng and the seide Dukes, for to have poysoned them with the seide poyson as it is above rehercid, with ynne the tyme of Cristemasse the yere of the reigne of our seide soverain lorde the kyng the xvij<sup>th</sup>, wher and in what place our seide soverain lorde the kyng and the Dukes above seide were in Englund. The which seide tresons I, the seid Robert aprovoir of our seide lord the kyng, wolle preve upon the seide John Seintcler, John Lyverton', John of Steyngate and Richard Croft in what wise our soverain lorde the kyng wolle ordeyne.

Also I, the seide Robert, aprovoir of our lorde the kyng, be fore the seide Coroners atte Maydeston', the seide Tuisday next after the fest of the seide Epiphanye the xvij<sup>th</sup> yere above seide, knowliche and appele John Daundelyon' of the Parysše of seint Jones with in the Ile of Thenet in the Shire of Kent, Gentilmanne, of that þat he, the xxvij day of aprelle þe yere of the regne of the kyng above seide þe xvj<sup>o</sup>, atte forseid Parysše of seint Jones unto aplace called þe Shore in the forseid Ile, lx quarteres of whete and iiij<sup>xx</sup> quarteres of barley with his Cartes be nyghtes tyme fro the dwellyng place of the seide John Daundelyon' caried, and the seide whete and barley to diverse enemys of our seide lorde the kynges of the partie of Flaundes whos names ben to me the seide aprovoir unknowe, atte þat tyme beyng in ashippe of our forseid enemyes ther beyng, then delyvered falsly and tretouraly in sustentacons and fortifyng of our seide enemyes of the partie of Flaundes above seide. Wher upon also I, the seide Robert aprovoir, the xxvij day of aprelle above seide was presente in the hous of the seide John Daundelyon' in the Parysše of seint Jones above seide, and knowynge the seide tresone in the seide forme to be done, the counseille of the seide John Daundelyon' fro the seide xxvij day of aprelle unto this tyme falsly and tretouraly have kept and concealed.

Also I, the seide Robert, be fore the seide Coroners atte Maydeston' the seide Tuisday next after the seide fest of the Epiphanye the xvij<sup>th</sup> yere above seide, knowliche and appele the seide John Seintcler of Feversham in the Counte of Kent, Gentilmanne, and Thomas Wolf of Stalesfeld in the same Counte of Kent, husbondmanne, of that þat thei, the wodnysday in the thridde weke of lente,

the yere of þe reigne of the seid kynges harry the syxte the xvij<sup>th</sup> atte *Feverham*, in an Inne called the Shippe, accordyd and falsly and felonysly conspirid how and in what wyse thei myghte sle and destroie Edward Gyldford, þat tyme beynges Sherreve of Kent be fore seid, and ther the seid John Seintcler toke and solde to the seid Thomas half apynte of the seid poysons, takynges therfore iiij marc' in hande, and so þat the seid Thomas sholde go and impoysons the seid Sherreve, for be cause þat he hadde apeched to our seid *soverain* lorde the kynges certeyne frendes of the seid Thomas Wolf of the rynges last in Kent, and þerfore [thei] were putte to deth.

Also I the seid Robert, the kynges aprovour, before the seid coroners at *Maydeston* the Thursday next after the fest of seint Hillary the yere of the reigne of the seid kynges harry the syxte the xvij<sup>o</sup>, knowliche and appele Thomas Burgeys of Graveney in the counte of Kent, Gentilmanne, and anne his wief, sumtyme the wief of John Martyn', Iustice of our lorde the kynges, and the seid Richard Craft of Graveney in the seid Counte, yomanne and John Seintcler of *Feverham* in the same Counte, Gentilmanne, other wise called John Gerard, of that þat thei, the xxij<sup>th</sup> day of the moneths of may the yere of the reigne of our seid lorde the kynges þe xiiij<sup>o</sup> atte Graveney in the Shire of Kent, falsly and felonysly with the same water and poysons above named thei impoysoned the seid John Martyn', the whiche sholde have levyd till this day, as the seid Thomas Wolf told[e] me the seid Robert aprovour the wennyday next after the clause of Ester þat last is passe[d] atte *Stallesfeld* in the house of the seid Thomas, as the seid Thomas Wolf tolde ther to me the seid Robert, and þat the seid John Seintcler tolde hym soo. Upon whiche mater we, the seid Coroners asked of the seid Robert aprovour if he were prevy concentynges, or dede doer to þe poysonynges above seid of the seid John Martyn', the whiche Robert seide nay; he hadde never other knowliche of þat mater save by the tellynges of the seid Thomas Wolf, the which[e] Thomas seide alle the contrey knewe welle it was so.

Also I the seid Robert the kynges aprovour knowliche before the seid Coroners atte *Maydeston* the forseid Thursda[*y*] next after the seid fest of seint hillary the xvij<sup>th</sup> yere of our seid lorde the kynges, þat whe[n] I the seid Robert was imprisoned in the *Stokkes* atte *Stalesfeld* and ther beynges so in prisoun, þat is to wete the munday next after the Clause of Ester the seid xvij yere above seid, th[e] seid John Seintcler by the seid Botiller his manne sente to me þat if I wolde aake a Corone[r] and knowliche felonye and forto for swere the kynges lond, I sholde have for my labour and ever after of hym good maisterhippe wher þat ever he mette me, for as moche as I, the seid Robert knew the counseill of the seid John Seintcler in the materes above seid.

Alle these materes þat I the seid Robert have knowliched to you Coroners I require you as y[ou] wolle answeere to our *soverain* lorde the kynges, þat ye write hem in my moder tonge, f[or] I understond noyþer latyne nor frensch, and also þat ye have write alle my materes of my appelles as I have tolde you worde be worde and in noon other wyse.

*An Elizabethan village 'census'*

THE CENSUS schedules of 1841 and 1851 provide the first complete descriptive lists of the inhabitants of every town and village in England. Before the nineteenth century no countrywide censuses were made, but for certain places local enumerations were compiled, for various reasons, during the seventeenth and eighteenth centuries. Several of these early 'censuses' have already been discovered, all apparently giving a complete list of inhabitants but varying in the amount of descriptive detail supplied. The 'census' which forms the subject of this note is the earliest yet found and one of the most detailed. At the end of the sixteenth century, the constable and headborough of Ealing, in Middlesex, gave their answers to thirteen questions put to them by one of the high constables of the hundred of Ossulstone.<sup>1</sup> The eleventh answer set out, grouped into households, the names of all the inhabitants, together with their ages, relationships, and occupations. This is some eighty years earlier than any other known enumeration which supplies ages.

The document is not dated, but the vicar was Richard Smart (no. 38 in the 'census' below) and he is known to have held the living from 1591 to 1602.<sup>2</sup> A comparison with the marriage registers<sup>3</sup> reveals that the 'census' was made at some time during a five-month period in 1599. Of the married couples recorded in the 'census', the last pair to have been married were John Tayler (no. 168) and Agnes Jacklyn, alias Butterfield (no. 169), on 29 January 1599; and of the single people recorded, the first to be married after the 'census' was made were Abraham Williams (no. 349) and Elizabeth Quarrington (no. 99), on 1 July 1599. The baptismal registers<sup>4</sup> suggest that the actual month was April, for Thomas Goodchild (no. 319) was baptized on 8 February, Elinor Monday (no. 425) on 11 March, and John Gray (no. 405) on 18 March 1599. Such a dating is supported by the fact that Richard Phillips and William Gernall, who made the 'census', ended their year of office as constable and headborough on 28 April.<sup>5</sup>

The parish officers stated that they had been asked for the names of everyone living 'within the parish'. The parish of Ealing included Old Brentford, which comprised the larger part of the town of Brentford, but there is little doubt that the 'census' covers only the Ealing part of the parish. It is, in the first place, unlikely that 85 households could account

<sup>1</sup>Public Record Office, E 163/24/35. A transcript of the document, containing a number of inaccuracies, appeared in the *Middlesex County Times*, 14 Feb. 1931. A demographic analysis of the 'census' is being prepared for publication by K. J. Allison and Peter Lealett.

<sup>2</sup>E. Jackson, *Annals of Ealing* (1898), p. 55.

<sup>3</sup>Printed in *Middlesex Parish Registers, Marriages*, viii, ed. T. Gurney (1927).

<sup>4</sup>In St. Mary's church, Ealing.

<sup>5</sup>P.R.O., S.C. 2/189/27.

for the whole parish, and it may be noted that in 1664, when for the first time reliable figures are available for both places, there were at least 116 houses in Ealing and at least 259 in Old Brentford.<sup>1</sup> Secondly, the compilers of the 'census' stated that they had no inns, but there were certainly inns in Old Brentford at this time: John Wilson, innholder, died there in 1598, for example.<sup>2</sup> Again, the 'census' does not include the numerous tradesmen and craftsmen who must have lived in the town. Among them were men working on the Thames, and the wills of at least eight Old Brentford watermen, bargemen, and fishermen were proved between 1585 and 1611.<sup>3</sup>

Evidence from other sources confirms the omission of Old Brentford. In the parish registers, for example, are the names of many people whose families do not appear in the 'census'. Tax returns,<sup>4</sup> jury lists in court rolls of the manor of Ealing (which included Old Brentford),<sup>5</sup> and lists of wills of Ealing people proved in the London commissary court<sup>6</sup> all show the same thing: some of the names appear in the 'census' but many do not. The court rolls, moreover, give the names of people who were described as inhabitants of Old Brentford, and in the years immediately around 1599 the families of Child, Worrall, Barbor, Curtis, Banbury, Martin, Stamford, Wilson, Ap Thomas, Long, Haberjohn, and Hanbury, to mention only a few, were all living in Old Brentford. The 'census' includes none of them.

It seems that the constable and headborough were responsible for the village of Ealing alone, and in several of their other answers to the high constable they did, in fact, refer to 'our precinct'. The court rolls of the manor of Ealing provide an explanation.<sup>7</sup> In a number of years, both before and after 1599, the court chose separate constables and headboroughs for Ealing and for Old Brentford. At the end of April 1599, for example, William Millet (no. 166) was made constable of Ealing and William Stamford constable of Old Brentford; the headboroughs were Richard South (no. 269) and Edward Bridgeman (no. 240) for Ealing and Thomas Ap Thomas for Old Brentford. It seems certain that Richard Phillips and William Gernall, who made the 'census', were similarly chosen for Ealing, though this was not actually stated in the court roll at their election in April 1598. Phillips's fellow constable, Henry Simpson, was presumably for Old Brentford; Gernall was chosen with three other headboroughs—Thomas Millet, also for Ealing (though he is not in the 'census'),<sup>8</sup> and Francis Deacon and Nicholas Trustram, presumably for

<sup>1</sup>Middlesex Record Office, hearth tax no. 3.

<sup>2</sup>Guildhall Library, London commissary court wills, register 19, fo. 43.

<sup>3</sup>*Ibid.*, 18, fos. 8, 16, 274, 331; 19, fos. 274, 326; 20, fo. 98; 21, fo. 241.

<sup>4</sup>P.R.O., E 179/142/234, 239.

<sup>5</sup>P.R.O., S.C. 2/189/27.

<sup>6</sup>Guildhall Library.

<sup>7</sup>P.R.O., S.C. 2/189/27.

<sup>8</sup>He was headborough of Ealing in 1593. He may have been a non-resident property-owner.

Old Brentford. A separate ale-taster and breadweigher was also chosen for each part of the parish: in 1598 George Skelton (no. 379) for Ealing and William Brise for Old Brentford, and in 1599 John Nores (no. 395) for Ealing and Thomas Baker for Old Brentford. This division of the parish for local administrative purposes is reminiscent of the eighteenth- and early nineteenth-century division into the Upper Side (Ealing) and the Lower Side (Old Brentford).<sup>1</sup> The several small hamlets lying in the Ealing part of the parish were apparently the responsibility of the Ealing officers and their inhabitants are probably included in the 'census'. Edward Vaughan (no. 1) and Simon Tayler (no. 159) both lived in Little Ealing,<sup>2</sup> Henry Sherborne (no. 120) was of Pitshanger,<sup>3</sup> and William Rawlings (no. 307) was of East Heath.<sup>4</sup>

The circumstances in which the 'census' was made are uncertain. It is unlikely that Ealing was the only place subjected to this enquiry and returns may have been called for from the whole hundred or the whole county. The questions asked by the high constable of the division of Ossulstone hundred in which Ealing lay have not survived, but the answers make it clear that they were concerned with matters which were all the subject of contemporary legislation. The enquiry may possibly have originated with the privy council and been passed to the county justices and so on to the high constables. A similar investigation is to be seen in a set of eighteen articles drawn up by Coke, probably a few years after 1599—articles which 'the constables of each hundred are to observe and answer unto at the beginning of every assize' and which were concerned with many of the matters comprised by the answers from Ealing.<sup>5</sup> It is perhaps more likely, however, that the enquiry was framed by the Middlesex justices in quarter sessions. Only a year earlier the council had instructed justices everywhere to take great care in enforcing statutes, especially those passed during the previous parliament concerning the poor, vagabonds and rogues, maimed soldiers, and the maintenance of tillage.<sup>6</sup> It is just possible that the enquiry of 1599 represents the reaction of the Middlesex justices to this order.

There is, of course, no Tudor legislation which required the taking of a census, and indeed no legislation which seems to justify such an exhaustive investigation. If the explanation lies in any statute it is perhaps that of 1597 for the relief of the poor. The twelfth answer from Ealing shows that two provisions of the act were being carried out there, and the eleventh

<sup>1</sup> See Jackson, pp. 287-9.

<sup>2</sup> Tablet in St. Mary's church, Ealing; Guildhall Library, wills, register 19, fo. 225.

<sup>3</sup> Guildhall Library, wills, register 19, fo. 332; he is called Henry Sherebud in the will but the names of his wife and children suggest that he is the Sherborne of the 'census'.

<sup>4</sup> P.R.O., S.C. 2/189/27.

<sup>5</sup> *Cal. State Papers Domestic 1598-1601*, p. 519. The document is undated but of c. 1600.

<sup>6</sup> *Acts Privy Council, 1597-8*, pp. 388-9; the statutes are 39 Eliz. I, cc. 2-5.

answer—the 'census'—would have given the justices guidance on the enforcement of two more of its provisions. The 'census' gives ages, and the act stated that children should be bound as apprentices until they reached the age of twenty-four in the case of men and twenty-one in the case of women. The 'census' also gives occupations, and the act states that relief should be given to needy people having no trade. But if this act does lie behind the making of the 'census' it is surprising that the means of the inhabitants were not stated more specifically and that the pauper were not so described.

It appears from the nature of the entries that the constable and head borough had placed the families in at least an approximate order of ranking beginning with the gentlemen, moving on to the yeoman farmers, and ending with the poorer families, those of the husbandmen, craftsmen unemployed, and widows. The tax return of 1598<sup>1</sup> seems to confirm this for the families of the sixteen Ealing taxpayers were among the first twenty-six families in the 'census'. Of the other ten leading householders in 1599, four did, in fact, appear in the partially illegible tax return of 1600.<sup>2</sup>

Several of the families are of special interest. Edward Vaughan (no. 1) was an active Middlesex justice in the decades around 1600; he was already described as 'of the Queen's Exchequer' when admitted to Gray's Inn in 1588, and he was Deputy Clerk of the Pipe at least from 1592 to 1600.<sup>3</sup> At his death in 1612 he lived in the parish of St. Giles without Cripplegate, but he still had a house in Ealing which he had bought in 1596.<sup>4</sup> Thomas Langton (no. 22) was married to Vaughan's sister Sibyl. He had graduated at Cambridge in 1566 and taken the degree of Doctor of Medicine in 1577; he became a fellow of the Royal College of Physicians in 1581 and was to be its president from 1604 until 1606, when he died.<sup>5</sup> Peter Hayward (no. 45) had been a prominent citizen in Salisbury<sup>6</sup> before coming to live at the school run by his son in Ealing. Among the scholars there were four of the sons of Sir William Fleetwood, recorder of London from 1571 to 1592, and his farm servants are also included in the 'census'. He died in 1594 but he had been the leading taxpayer in Ealing in 1589.<sup>7</sup>

<sup>1</sup>P.R.O., E 179/142/234.

<sup>2</sup>P.R.O., E 179/142/239.

<sup>3</sup>*Acts Privy Council, 1595-6*, p. 437; *Middlesex County Records*, ed. J. C. Jeaffreson (4 vols., 1887-1902), ii. 203-4, 206-7; *Register of Admissions to Gray's Inn, 1521-1889*, ed. J. Foster (1889), p. 72; *Cal. State Papers Domestic 1591-4*, p. 213; *Cal. State Papers Domestic 1598-1601*, p. 458.

<sup>4</sup>Somerset House, P.C.C. wills, 84 Fenner; P.R.O., S.C. 2/189/27.

<sup>5</sup>P.C.C. wills, 84 Fenner, 76 Stafford.

<sup>6</sup>*Roll of the Royal College of Physicians*, ed. W. Munk and G. H. Brown (and edn., 4 vols., 1878-1955), i. 82.

<sup>7</sup>R. Benson and H. Hatcher, *Old and New Sarum or Salisbury* (1843), pp. 285, 301; *Two sixteenth-century taxation lists*, ed. G. D. Ramsay (Wilts. Archaeol. Soc., Records Branch, x, 1954), p. 67.

<sup>8</sup>*D.N.B.*; P.R.O., E 179/269/41.



John Maynard (no. 97), who was a yeoman of the guard at least from 1571 until 1603,<sup>1</sup> may have been a predecessor of the celebrated Serjeant Maynard who lived at Gunnersbury, in Ealing, later in the seventeenth century.<sup>2</sup>

K. J. ALLISON

*Public Record Office, E 163/24/35*<sup>3</sup>

In the transcript which follows, the original spelling has been modernized except for personal names. The numbers of the entries in the 'census' have been added. In a few cases (e.g. no. 222) the christian names are difficult to interpret as the sex is not clear, but here the order of enumeration is helpful. This is usually, though not invariably, man and wife, daughters, female servants, sons, and male servants, and within each of these groups it is usually in descending order of age. In the 'census', some marginal descriptive words (e.g. servants, scholars) have been either incorporated in the entries or omitted if they give no additional information, and the entries have been abbreviated wherever possible.

Ealing The answer of Richard Phillips, constable of Ealing aforesaid, and other officers there to the instructions and articles lately received from Mr. Nicholas, high constable of this division in the hundred of Ossulstone. To the first article we say as yet we have found no defaulter, having charged a watch to be made accordingly.

To the second we have no such in our precinct or limit.

To the third we certify we have only but two victualling houses, and we think them that inhabit in them honest persons for they are of good name and fame. And inn or inns we have not any.

To the fourth we certify that we have not seen any play or gaming lately kept in either [of] the victualling houses or know of any flesh dressed in either of them on days forbidden. And [we] have warned them that they shall not from henceforth suffer any to eat or drink there in the time of divine service or use any gaming at any time.

To the fifth we say there is a maiden servant lately Mrs. Fleetwood's which is aged about 40 years that lodges until she be placed in service at Peter Talbot his house, a victualler. [The last seven words were later crossed through and a note added: she is gone to service.]

To the sixth article we can say nothing.

To the seventh we know not of any felonies done lately in our precinct.

To the eighth we say that we have not had any such persons apprehended in our precinct.

To the ninth we know not of any popish recusant, neither any others within our parish that repair not to the church to hear divine service.

To the tenth we know not of any such offender with us.

<sup>1</sup>British Museum, Add. MS. 5750, fos. 110-18.

<sup>2</sup>Jackson, pp. 68, 140-2.

<sup>3</sup>Crown-copyright material reproduced by permission of the Controller of H.M. Stationery Office.

To the eleventh we desired further time but have now answered the same [i.e. the 'census'].

To the twelfth we say that the poor aged and impotent are provided for by an assessment heretofore amongst us made and weekly collected and paid over by the overseers and churchwardens to them. And others the poor [are] set awork with a stock which we collected of £5 odd money, the more part whereof remains.

To the thirteenth and last we say that we have not lately found any sturdy beggar or vagabond that has not been apprehended and punished.

Richard X Phillips, constable of Ealing, whereto he has [set] to his hand and mark.

X William Gernall, headborough of Ealing, where[to] he has set to his hand and mark.

Ealing Our answer to the eleventh article wherein we prayed further time in our last certificates to set down the names and servants of every person and persons and other inhabitants within the parish and their ages with their trades they use to maintain them.

- |   |  |
|---|--|
| 1. Edward Vaghann, justice of the peace, Deputy Clerk of the Pipe in the exchequer, aged 58 or thereabouts. | 10. Frederick Phips, clerk, 37.                            |
| 2. Elizabeth his wife, 52 or thereabouts.   | 11. Charles Bould, clerk, 30.                              |
| 3. Elizabeth Gardyner, waiting gentlewoman, 23.   | 12. William Hough, clerk, 25.                              |
| 4. Margery Bowld, Mrs. Vaghann's niece, servant, 14.  | 13. William Page, clerk, 26.                               |
| 5. Katherin Hamond, servant, 36.  | 14. Edward Matles, servant, 41.                            |
| 6. Margery Bayly, servant, 38.  | 15. John Cooke, butler, 40.                                |
| 7. Ales Eatonn, servant, 46.  | 16. Thomas Brokeson, cook, 36.                             |
| 8. Elizabeth Rees, servant, 60.   | 17. Henri Outler, coachman ['chochman'], 51.               |
| 9. Dorothy Cartmell, orphan by them kept of charity, servant, 8.  | 18. Peter Talbut, gardener, 67.                            |
|   | 19. Thomas Hawse, bailiff of husbandry, 30.                |
|   | 20. Jerome Gay, one other of his husbandry, 24.            |
|   | 21. William Banister, employed in husbandry, 18.           |
| <hr/>   |  |
| 22. Thomas Lancktonn, doctor in physic, 52 or thereabouts.  | 27. Jane Page, servant, 24 or thereabouts.                 |
| 23. Sybbell his wife, 51.   | 28. Chrystopher Langton, servant, 21.                      |
| 24. Sibbell Atkins, servant, 15 or thereabouts.   | 29. Owen Joones, servant, 21 or thereabouts.               |
| 25. Jone Gower, servant, 22 or thereabouts.   | 30. Thomas Langton, servant, 19 or thereabouts.            |
| 26. Ales Lasonn, servant, 24 or thereabouts.  |  |
| <hr/>   |  |
| 31. William Mösley, 33 or thereabouts.  | 35. Annis Bowlton, servant, 28 or thereabouts.             |
| 32. Dorithe his wife, 22.   | 36. Frauncys Hanson, servingman, 30 or thereabouts.        |
| 33. Elyn her sister, 14 or thereabouts.   | 37. Robert Rigdon, servant, husbandman, 14 or thereabouts. |
| 34. Annis Crosse, servant, 19 or thereabouts.   |  |

38. Richard Smart, vicar, 54, and has no wife.  
 39. Anne Smart his daughter-in-law, 22.  
 40. Margaret Smart his daughter, 12.  
 41. Ann, servant, 23 or thereabouts.

42. Anthoni Smart his son, broadweaver, 26.  
 43. Richard Smart his son, 15.  
 44. Andrew Smart his son, 13.
- 
45. Peter Hayward, merchant, sometime of Salisbury, 78 or thereabouts.  
 46. Thomas Haward his son, schoolmaster, 38.  
 47. Thomas Fleetwod, gent., scholar, 16.  
 48. Georg Fleetwod, gent., scholar, 12.  
 49. John Fleetwod, gent., scholar, 11.  
 50. Edward Fleewod, gent., scholar, 6.  
 51. Henry Cony, gent., scholar, 13.  
 52. Richard Cane, gent., scholar, 10.  
 53. Thomas Chowne, gent., scholar, 15.  
 54. Nevell Chowne, gent., scholar, 11.  
 55. Georg Kingsley, gent., scholar, 10.  
 56. Thomas Duncumbe, gent., scholar, 12.

57. Robert Stepneth, gent., scholar, 12.  
 58. William Stepneth, gent., scholar, 10.  
 59. Edward Chowne, gent., scholar, 14.  
 60. William Duncumbe, gent., scholar, 12.  
 61. Alexander Elcokc, merchant, scholar, 13.  
 62. Richard Elcokc, merchant, scholar, 9.  
 63. Faustine Canpadge, yeoman, scholar, 12.  
 64. Abraham Spencer, yeoman, scholar, 17.  
 65. Elizabeth Clynkct, maid servant, 22.  
 66. Anne Stephans, maid servant, 20.  
 67. Holting, man servant, 24.

68. Jerome Page, merchant adventurer, 54.  
 69. Elizabeth Pag his wife, 50.  
 70. Janne Pag their daughter, 16.  
 71. Elizabeth Page their daughter, 14.  
 72. Mary Page their daughter, 12.

73. Amy Page their daughter, 9.  
 74. Agnes Marshall, 19.  
 75. Edward Langle, servant, husbandman, 28.  
 76. Edward Marshall, servant, 19 or thereabouts.

77. Richard Phillips, gent., 61 or thereabouts.  
 78. Marie Phillips his wife, 50 or thereabouts.  
 79. Rose Phillips their daughter, 11.  
 80. John their son, 16 or thereabouts.  
 81. Anis Steevens, servant, 24.

82. John Wiggins, servant for husbandry, 50.  
 83. John Merit, servant, 16.  
 84. Moyaes Thomas, servant for husbandry, 25.  
 85. Richard Smith, servant for husbandry, 18.

86. Robert Pepper, gent., 40 or thereabouts.  
 87. Sara his wife, 40.  
 88. Sara his daughter, 13.  
 89. Samewell their son, 8.  
 90. Robert Pepper his son, 4.  
 91. Mary Bumsted, servant, 25.  
 92. Allies Tanner, servant, 30.

93. Rebeca Bryanadg, servant, 12.  
 94. William Wall, servant, husbandman, 25.  
 95. James Attey, servant, husbandman, 30.  
 96. John Kemberlake, servant, husbandman, 19.

97. John Maynard, yeoman of the guard, 60.  
 98. Milesant his wife, 60.  
 99. Elizabeth Qarringtonn, maid servant, 24.
- 
103. Symond Baringer, yeoman, 60.  
 104. Isabell Baringer his wife, 52.  
 105. Margaret Barringer their daughter, 12.  
 106. William Barringer, husbandman, 19.
- 
110. Mathew Randole, yeoman, 32.  
 111. Mari Rendole his wife, 36.  
 112. Agnes Harvy, servant, 23.  
 113. Thomas Anderoues her son [i.e. Mary's], 11.  
 114. John Anderoue her son, 5.  
 115. Mathew Randole his son, 4.
- 
120. Henry Sherborne, yeoman, 55.  
 121. Elizabeth his wife, 60.  
 122. Jane their daughter, 30.  
 123. Winifred their daughter, 26.  
 124. Symond their son, 15.  
 125. Robert, another of his sons, 14.
- 
131. Henry Tanner, yeoman, 65.  
 132. Jone his wife, 63.  
 133. Alice Browne, servant, 20.  
 134. Jon Pollard, servant, 16.  
 135. Thomas Rogers, husbandman, 32.  
 136. Robert Winchester, husbandman, 26.
- 
140. Richard Phillipe, yeoman, 52.  
 141. Elizabeth Phillipe his wife, 50.  
 142. Jone Grantford, servant, 20.  
 143. Mawgdlein Lay, servant, 25.  
 144. Richard Kellocke, husbandman, 40.  
 145. Edward West, husbandman, 23.
- 
151. Robert Tayler, yeoman, 50.  
 152. Alice his wife, 36.  
 153. Alice Newell, servant, 22.  
 154. Jone Tayler, servant, 18.  
 155. Robert Williams, husbandman, 31.
- 
100. Adam Mathew, maid servant, 16.  
 101. Ann Hall, maid servant, 12.  
 102. John Maynard, servant, husbandman, 27.
- 
107. Thomas Baringer, used [to] husbandry, 15.  
 108. Edward Barenger, husbandman, 9.  
 109. Rawf Ball, husbandman, 21.
- 
116. Thomas Randole his son, 3.  
 117. William Randole his son, 1.  
 118. John Feene, servant, husbandman, 20.  
 119. Hary Dods, servant, husbandman, 17.
- 
126. Jone, maid, 20.  
 127. John Esman, husbandman, 40.  
 128. Frauncis, husbandman, 20.  
 129. Thomas Assctor, husbandman, 2.  
 130. Elizabeth her daughter [i.e. Elizabeth's], 4.
- 
137. Thomas Hollyway, husbandman, 28.  
 138. John Bery, husbandman, 18.  
 139. John Stonn, husbandman, 17.
- 
146. Edmon Smith, husbandman, 20.  
 147. John Elcok, husbandman, 50.  
 148. John Hayward, husbandman, 20.  
 149. Nicholas Granford, husbandman, 16.  
 150. John Root, used to husbandry, 14.
- 
156. Rowlland Betterfeyld, husbandman, 18.  
 157. William Payne, husbandman, 18.  
 158. Richard Tayler, employed to husbandry, 13.
-

159. Symon Tayler, husbandman, 58, and has no wife.
160. Jan Bartlet, servant, 20.
161. Francis Tayler his daughter, 8.
162. Symond Tayler his son, 15.
163. Thomas Tayler his son, 10.
164. Nicholas Tayler, servant, husbandman, 25.
165. John Reely, servant, husbandman, 15.
- 
166. William Millet, husbandman, 26.
167. Henry Hubbert, servant, husbandman, 17.
- 
168. John Tayler, husbandman, 25.
169. Agnes his wife, 25.
- 
171. Richard Rogers, husbandman, 50.
172. Elizabeth Rogers his wife, 32.
173. Elizabeth their daughter, 6.
174. Ellen their daughter, 4.
175. Elizabeth Burgesse, servant, 20.
176. Nicholas Kinge, servant, husbandman, 36.
177. Robert Brown, servant, husbandman, 18.
- 
178. John Lewes, husbandman, 27.
179. Davy Lewes his father, husbandman, 60.
180. Elizabeth Lewes, John's wife, 24.
181. Elizabeth Lewes, Davy's daughter, 10.
182. Margery Lewes, a child, 4.
183. Thomas Lewes, a child, 1 or thereabouts.
- 
184. Symon Bartlett, husbandman, 44.
185. Pleasent his wife, 25 or thereabouts.
186. Jone, maid, 24 or thereabouts.
187. Margart their daughter, 3.
188. Elizabeth their daughter, 3 months.
- 
189. William Cannon, husbandman, 34.
190. Janne his wife, 24.
191. Denny's Geele her sister and servant, 30.
192. Henry Bryann, used to husbandman, 15.
- 
193. John Millet, tailor, 30.
- 
194. John Suttin, labourer, 50.
195. Jone his wife, 50.
196. Hester their daughter, 20.
- 
197. William Whitescals, ploughwright, 58.
198. Ellen Whitescals his wife, 42.
199. Elizabeth Witescals their daughter, 20.
200. Marie their daughter, 14.
201. Wilsifer their daughter, 10.
- 
202. Richard Hampton, Her Majesty's mole-catcher [ 'mowitaker' ], 50.
203. Agnes his wife, 50 or thereabouts.
204. Sibbyll Green, servant, 25.
- 
205. Collynn's widow, 45.
- 
206. Elizabeth Talbot, 36.
207. Paule Talbot her son, 9.

208. Richard Geyle, bailiff of husbandry for Mr. Fleewood, 26.
209. Georg Hatten, husbandman, 19.
210. William Shephard, shepherd for Mr. Fleetwod, 35.
211. John Wilkin, husbandman, 33.
- 
212. Thomas Gibbs, husbandman, 50.
213. Margery his wife, 50.
214. Jarat Gibbs their son, 14.
- 
215. William Fote, husbandman, 40.
216. Elizabeth his wife, 60.
217. Gylyan their daughter, 14.
- 
218. John Skelsy, husbandman, 31.
219. Annys his wife, 30.
220. Alice their daughter, 3.
221. Elizabeth Personn, maid, 30.
222. Jonne Brimying, a nurse child of London, 1½.
- 
223. Davy Stevens, husbandman, 60.
224. Anne his wife, 50.
225. Thomas their son, 10.
226. William their son, 7.
227. Jams Steven their son, 5.
228. John their son, 3.
229. William Jetter, a nurse child, 1.
- 
230. Thomas Kerton, husbandman, 40.
231. Elizabeth his wife, 30.
232. Elizabeth his daughter, 2.
- 
233. Symon Reed, husbandman, 62.
- 
234. Richard Hall, yeoman, 60.
235. Elizabeth his wife, 50 or thereabouts.
- 
236. John Suttin, husbandman, 54.
237. Jone Suttin his wife, 54.
238. Heaster their daughter, 20.
239. John Suttin their son, 10.
- 
240. Edward Briggman, miller, 40.
241. Elyn his wife, 34.
242. Jane their daughter, 2.
243. Rachael Needome, maid, 16.
- 
244. Madeling Relf, husbandman, 30.
245. Rachael his wife, 29.
246. Bartlemew his son, 9 months.
247. Elizabeth Relf his sister, 18.
248. Elizabeth Bachouse, widow, 80.
- 
249. Sible Hiches, widow, 50.
250. Juda her daughter, 14.
- 
251. William Reed, husbandman, 28.
252. Annis his wife, 28.
253. Thomas Red his son, 3.
254. William Red his son, 1.
- 
255. John Harding, tailor, 51.
256. Susan his wife, 37.
257. Jon their daughter, 13.
258. Margaret their daughter, 5.
259. Symond Harding, 10.
- 
260. John Wilkin, husbandman, 60 or thereabouts.
261. Mary his wife, 72.
-

262. William Smith, husbandman, 60 or thereabouts.  
 263. Elizabeth his wife, 46.  
 264. Marry their daughter, 16.  
 265. Annis their daughter, 8.
- 
269. Richard South, bricklayer, 37.  
 270. Jone his wife, 36.  
 271. Elizabeth their daughter, 10.  
 272. Mary South their daughter, 7.
- 
277. William Bridgmann, husbandman, 50.
- 
279. Henry Hubberd, husbandman, 56.  
 280. Elyn his wife, 50.
- 
282. William Tisbury, husbandman, 40.  
 283. Esbell his wife, 44.  
 284. Janne their daughter, 10.  
 285. Elizabeth their daughter, 7.  
 286. Elyn their daughter, 5.
- 
287. Marry Flecher, a nurse child, 3 months.  
 288. Annis Steven, maid, 2.  
 289. John their son, 2.  
 290. William Stonner, a nurse child, 1.
- 
291. Widdow Ate, 62.
- 
292. Luce Ate her daughter, 24.
- 
293. John Smith, husbandman, 50.  
 294. Jone his wife, 39.  
 295. Alice their daughter, 2.
- 
296. Elizabeth Qarrington, maid, 29.  
 297. Edward Smith their son, 12.  
 298. Robert Coklope, 10 weeks.
- 
299. Richard Smalewod, husbandman, 32.
- 
300. Rachael his wife, 60 or thereabouts.  
 301. Edward Smalewod their son, 7.
- 
302. John Wittingam, husbandman, 40.  
 303. Tomson his wife, 47.  
 304. Isbell their daughter, 14.
- 
305. Richard their son, 9.  
 306. John Wittingam, another of his sons, 6.
- 
307. William Rawlings, husbandman, 36.
- 
308. Sary his wife, 36.  
 309. Janne their daughter, 7.
- 
310. Robert Foster, husbandman, 62.  
 311. Alice his wife, 46.  
 312. Katharin their daughter, 17.  
 313. Elizabeth their daughter, 14.
- 
314. Ann their daughter, 11.  
 315. Jane their daughter, 8.  
 316. John West, a nurse child, 3.
- 
317. Henry Goodchild, husbandman, 30.
- 
318. Mariann his wife, 27.  
 319. Thomas their son, 8 weeks.
- 
320. William Rogers, 47.
- 
321. Jesse his wife, 55.
-

- |  |  |
|--|--|
| 322. Jone Frend, widow, 52.            | 325. William her son, 14.                      |
| 323. Mary her daughter, 23.            | 326. Robert her son, 8.                        |
| 324. Thomas her son, 22.               |  |
| <hr/>                                  |  |
| 327. Thomas Ward, husbandman, 38.      | 330. Thomas their son, 10.                     |
| 328. Alice his wife, 36.               | 331. Samuell their son, 8.                     |
| 329. Elizabeth their daughter, 2.      | 332. John Sarver, a nurse child, 1.            |
| <hr/>                                  |  |
| 333. Edmon Parker, husbandman, 34.     | 335. Edward Parker their son, 14.              |
| 334. Margery his wife, 50.             | 336. John Lytfot, a nurse child, 1.            |
| <hr/>                                  |  |
| 337. Annis Wardenn, widow, 50.         | 339. Elizabeth her daughter, 6.                |
| 338. Anne her daughter, 14.            |  |
| <hr/>                                  |  |
| 340. Nicholas Sewell, carpenter, 60.   | 343. Jon their daughter, 14.                   |
| 341. Ann his wife, 42.                 | 344. Symond her son, 14.                       |
| 342. Jann their daughter, 14.          |  |
| <hr/>                                  |  |
| 345. Thomas Wardden, husbandman, 31.   | 346. Anne his wife, 37.                        |
|  | 347. Alice Warden their daughter, 17.          |
| <hr/>                                  |  |
| 348. William Willyams, husbandman, 67. | 349. Abraham Willyams his son, 25.             |
| <hr/>                                  |  |
| 350. William Fly, husbandman, 33.      | 352. Frauncis their daughter, 2.               |
| 351. Isabell his wife, 26.             |  |
| <hr/>                                  |  |
| 353. William Nicholas, husbandman, 40. | 356. Richard his son, 6.                       |
| 354. Pornyll his wife, 39.             | 357. William his son, 5.                       |
| 355. Hatherin his daughter, 10.        | 358. Frauncis With, servant, 14.               |
| <hr/>                                  |  |
| 359. Robert Hawkins, tailor, 24.       |  |
| <hr/>                                  |  |
| 360. Henry Kempe, 60.                  |  |
| <hr/>                                  |  |
| 361. William Lawrence, husbandman, 30. | 364. Isbell their daughter, 1.                 |
| 362. Annis his wife, 67.               | 365. Elizabeth Smith, a nurse child, 9 months. |
| 363. Alice their daughter, 4.          |  |
| <hr/>                                  |  |
| 366. Luce Hall, a poor woman, 40.      | 368. Alee her daughter, 2.                     |
| 367. Grace her daughter, 5.            | 369. Thomas her son, 8.                        |
| <hr/>                                  |  |
| 370. Jone Grene, widow, 48.            |  |
| <hr/>                                  |  |
| 371. Grace Lome, widow, 35.            | 373. John her son, 6.                          |
| 372. Grace her daughter, 9.            | 374. Anthoni her son, 3.                       |
| <hr/>                                  |  |



375. Margery Sherrin, widow, 48.      377. Richard her son, 17.  
 376. Mary Sherrin her daughter, 11.      378. John her son, 8.
- 
379. Georg Skelton, smith, 44.      383. Richard their son, 4.  
 380. Margaret his wife, 50.      384. Abraham Thomas, servant, 28.  
 381. Pleasence their daughter, 14.      385. Roger Cute, servant, 18.  
 382. Elizabeth his daughter, 8.
- 
386. Steven Whit, husbandman, 34.      388. William her son, 4.  
 387. Annis his wife, 24.
- 
389. Gilian Geyle, widow, 48.      392. Francis Cogayn, 6.  
 390. Alice her daughter, 22.      393. John Cogayn, 10.  
 391. Mary her daughter, 16.      394. William Cogayn, 2 or thereabouts.
- 
395. John Owrs, husbandman, 26.      397. Elizabeth their daughter, 6 months.  
 396. Elizabeth his wife, 23.      398. Richard their son, 3.
- 
399. Annis Burnall, widow, 40.      400. Elizabeth, maid, 23.
- 
401. John Gray, husbandman, 50.      404. Jeram his son, 8.  
 402. Rose his wife, 34.      405. John his son, 5 weeks.  
 403. Mary his daughter, 6.
- 
406. Also Burges, widow, 40.
- 
407. Elyzabeth Rocling, a poor woman,      408. John her son, 4.  
 35.
- 
409. John Beddis, husbandman, 40.      411. Annis their daughter, 1.  
 410. Mawgdlyn his wife, 40.      412. Margaret their daughter, 12.
- 
413. John Harrison, husbandman, 50.      415. William their son, 19.  
 414. Alice his wife, 52.
- 
416. Symon Fry, 47.      417. Margaret Chambers, 22.
- 
418. John Browne, husbandman, 50.      420. Anne Browne her daughter, 20.  
 419. Alice Browne his wife, 50.      421. John their son, 12.
- 
422. Thomas Monday, wheelwright, 30.      425. Elinor their daughter, 7 weeks.  
 423. Elizabeth his wife, 32.      426. Bartlernew their son, 3.  
 424. Jone their daughter, 6.
- 
427. Jone Pedel, 26. [crossed through]

## Historical News

THE MEETINGS of the Assemblée Générale and the Bureau of the Comité International des Sciences Historiques at the beginning of June 1962 were not, strictly speaking, the first to be held in London since 1911, as stated in the last number of the *Bulletin* (*ante*, xxxv. 228). From 28 April to 3 May 1930 meetings of the Comité itself and a dozen Commissions took place in Cambridge, London and Oxford. The relationship between the various organs of the International Congress of Historical Sciences has often given rise to confusion; it appears that the Assemblée is a *session plénière* of the Comité, while the Bureau is the executive board of the whole organization. An interesting account of *The Origin and Beginning of the International Committee of Historical Sciences*, in which he was personally much involved, has recently been published by Professor Halvdan Koht (Lausanne, 1962). The arranging of historical congresses had, until 1926, been the work of either national societies or *ad hoc* committees and the creation of a permanent organization was a development for which not all historians were prepared. The Comité International des Sciences Historiques was constituted at a meeting in Geneva on 14 May 1926, with Henri Pirenne in the chair. 'Invitations for the meeting at Geneva', Professor Koht reminds us, 'were extended to historical institutions in twenty-seven countries. Twenty of them sent delegates. Unfortunately, the British delegates were, at the last moment, prevented from coming by a general strike in their country.' Nevertheless, one of the absent British delegates, the late Professor Harold Temperley, was elected as an *assesseur*, which gave him a place on the Bureau, as well as on the International Committee. Pirenne avoided the chairmanship by suggesting that the President should be chosen from the country in which the next International Congress would meet and Professor Koht, as a representative of Norway, was then elected, since it had already been decided to hold the 1928 Congress at Oslo. 'I was not a little taken aback by these proceedings,' he tells us, 'but managed to express in a few words the gratitude due to Pirenne for his leadership in the work of organization. Then I proceeded to complete the elections and I now proposed Pirenne and Dopsch as vice-presidents. Pirenne protested; evidently he was reluctant to enter into a lasting co-operation for which he had no warm sentiments. But he had to bow to the insistence of the Assembly.' Professor Koht makes further disclosures in his pamphlet, which adds appreciably to the formal records contained in the *Bulletin of the International Committee of Historical Sciences*, started in October 1926, after this vital meeting at Geneva.

\* \* \* \* \*

The most recent publication of the Historical Manuscripts Commission is of exceptional interest for it includes material overlooked or acquired

since the earlier calendars of *The Manuscripts of the House of Lords* were issued. Volume XI (new series), edited by Maurice F. Bond, is described as *Addenda, 1514-1714*. A substantial portion of the calendar consists of texts of draft bills, which failed to become law; another group are papers, both of the Lords and the Commons, relating to clerical subsidies (1540 onwards) and petitions mostly of the seventeenth century. Items which are particularly noteworthy, however, are three draft journals or memoranda which supplement the printed *Journals of the House of Commons*, viz. Fulk Onslow's personal journal of 1572, Ralph Ewens's journal of 1610 and a draft journal and committee book of 1625. The volume also contains records of the trial of Mary Queen of Scots, of Archbishop Laud and King Charles I, none of which have been fully used by scholars, as yet. At the end of Mr. Bond's valuable Introduction there is a comforting note that 'It is hoped, after a general guide to the records of Parliament has been prepared, to continue the Calendar of Manuscripts for the years following 1714, though in less detail than has hitherto been customary'.

\* \* \* \* \*

The Folger Library at Washington has, in the course of the last few years, expanded its collection far beyond the confines of the Shakespearean period. Books and manuscripts relating to every aspect of sixteenth, seventeenth and even eighteenth-century history now find a place within its well-endowed walls. Recently the acquisition of some six hundred pamphlets, which formerly belonged to the marquess of Downshire, was recorded in its lively *Report* (new series, no. 1, 10 December 1962). They add substantially to the already considerable body of material in the Folger Library which throws light on 'economic, social and political activities in France and the Netherlands that were of concern to Englishmen' (in the sixteenth and seventeenth centuries).

\* \* \* \* \*

The London County Council has issued the first part of a *Guide to the Records in the London County Record Office* (L.C.C., 1962), prepared by Miss Ida Darlington. It deals with the archives of the Council's predecessors, such as the Metropolitan Board of Works, the School Board for London, Bridge Companies and so on. The earliest documents listed are those of Commissions of Sewers reaching back to mid-sixteenth century. Further parts will guide scholars to the numerous diocesan, parish, manorial, business and other collections acquired by the County Record Office.

\* \* \* \* \*

Registration forms for the short Anglo-American Conference of Historians, to be held in London from Thursday, 11 July, to Saturday, 13 July 1963, may be obtained from the Secretary, Institute of Historical Research, University of London, Senate House, London, W.C.1. They should be returned to reach him by 1 July.

## Summaries of Theses

245. *William III and the Northern Crowns during the Nine Years' War, 1689-97.* By S. P. OAKLEY, Ph.D.

THE THESIS examines the formulation, execution and achievements of the stadtholder-king's policy towards Sweden and Denmark-Norway during the years immediately after the English Revolution. The Northern Crowns, strategically situated, militarily powerful and the main sources of the belligerents' naval supplies, were the most important of the powers to remain neutral in the war between the Grand Alliance and France. The emphasis throughout the study is placed on William III's own attitude to them in the context of his general war aims, but, in order to understand more fully his successes and failures, it is also necessary to investigate the policies and reactions of the two countries themselves, of the interested North German princes and of France.

During the sixteen-eighties Sweden, under the direction of her chancellor Bengt Oxenstierna, swung away sharply from France and concluded with the United Provinces and the emperor a series of engagements which ended in 1688 with the lending to William III of 6,000 troops to aid his English enterprise. At the beginning of the war he thus had good reason to hope for her active assistance against France. But attempts to secure even a fulfilment of her treaty obligations to the United Provinces, by which she owed both men and ships, were thwarted by Charles XI's fears of risking the neutrality he needed to complete his domestic reforms and to attain his goal of mediation in the European conflict. Negotiations in Stockholm for an alliance broke down at the end of 1689 because the Swedes refused to make its terms applicable during the war, and invitations to join the Grand Alliance were firmly rejected, although a Swedish representative did attend meetings of the congress of ministers in the Hague for a few years. One of the frequent requests for treaty aid seemed on the brink of success early in 1696, when Sweden needed the Allies' support for her client, the duke of Holstein-Gottorp, against Denmark, but her price proved to be too high for the Maritime Powers. Charles XI's attitude also frustrated French diplomacy, but Swedish neutrality was generally better suited to the interests of Louis XIV than to those of William III.

Denmark's financial instability, which led her to claim subsidies beyond William's powers to supply, her need for a security he could not guarantee and her demand for support in an aggressive policy in the Lower Saxon Circle, which it would be dangerous for him to encourage, stood in the way of any close alliance with this power. Even if it could be achieved, it would probably have to be at the cost of the more valuable friendship of her jealous neighbour Sweden. Denmark's territorial ambitions, which threatened to begin a Northern war from which only France would benefit, caused William III almost constant concern. By 1689 her attempts to dominate the strategically important lands of the duke of Holstein-Gottorp, who was backed by Sweden, had reached a new

crisis, but William helped to bring about a temporary settlement by refusing to grant his unconditional support to either side and by threatening to intervene with force against any aggressor. Immediately afterwards Christian V lent England 7,000 troops, which he could no longer support, and opened negotiations with the Maritime Powers which led to a defensive alliance in November 1690. This, however, was not ratified owing to Danish commercial and financial disputes of long standing with the United Provinces, which complicated all further negotiations. Christian continued to treat with both sides and in 1691 signed a subsidy treaty with France which promised his neutrality and so raised his price for an offensive alliance with William III. In the same year an attempt was made, with Danish backing, to form a 'third party' of German princes led by the duke of Hanover to impose French peace terms. Sweden, however, refused to play any part, and the league collapsed when Hanover was raised to the rank of an electorate by the emperor. A new party was built up by Denmark in 1692 to create a diversion for France by attacking Brunswick, whose ambitions had aroused considerable envy and with whom Christian V had picked a quarrel over the succession to the duchy of Saxe-Lauenburg. William again intervened and threatened any aggressor. Sweden stood aloof as in 1690, France lost interest when action was delayed, and a settlement was reached in 1693 under the mediation of the Maritime Powers. Disappointed in his hopes of Louis XIV and influenced by his minister Plessen, the Danish king now turned away from France. His renewed negotiations with England and the United Provinces resulted in a treaty at the end of 1696 by which he agreed to ban all French trade, close his harbours to French ships and ratify the defensive alliance of 1690 in exchange for subsidies. This came too late to affect the outcome of the war, but it did make William less enthusiastic to champion the cause of the duke of Holstein-Gottorp in a new quarrel between him and Christian V.

Both Northern Crowns feared the effects of the union of the two Maritime Powers on their plans to profit from neutrality to expand their commerce. These were even more seriously threatened by the Anglo-Dutch convention of September 1689, which banned all trade with France. It strengthened the position of Oxenstierna's critics in the Swedish council, who insisted on a strict observance of Sweden's treaty rights and persuaded Charles XI to agree to fit out convoys. Denmark, whose treaty rights were less clear, seemed at first more pliable and consented to negotiate in the Hague. At the same time, however, she was trying to entice her neighbour into more vigorous opposition to the ban, and at the end of 1690 carried out reprisals by seizing Dutch merchant ships in the Sound. She finally succeeded, in the spring of 1691, in persuading Sweden to conclude a league of armed neutrality, which arranged for joint convoys and, if necessary, joint reprisals. This helped William to determine to abandon all hopes of imposing the ban and to agree to pay compensation for neutral ships held under it. Conventions on this basis were made between the United Provinces and both Northern Crowns the same year, but seizures continued to be made on various pretexts and the League of Armed Neutrality was renewed in 1693. Sweden, however, soon received further compensation, was always suspicious of Denmark's motives and failed to support the latter when she undertook further reprisals in 1694. Negotiations on Swedish claims for compensation from England broke down in 1695 when Sweden imposed a limit of four months residence a year on her foreign merchants. The growing activity of French privateers and Denmark's rapprochement with the Allies

helped to push the question of neutral trading rights into the background of William's northern policy towards the end of the war.

A further complication, which he found particularly embarrassing, was the claim of English warships to a salute from foreign ships in the Channel. This led to encounters with both Swedish and Danish convoy ships in 1694 and 1695, which could only be glossed over with face-saving clauses and expedients bringing a merely temporary relief.

After the failure of repeated attempts to secure Swedish military aid and as the war settled into stalemate, William III turned to the task of trying to persuade Charles XI, a guarantor of the Westphalian and Nijmegen settlements, to extract from France favourable terms of peace. The Swedish king's unwillingness to risk his neutrality, however, prevented him from putting adequate pressure on Louis XIV, and William gained more by direct and secret negotiations in Flanders. Only after he had secured from France a satisfactory promise to recognize his English title did he accept the Swedish mediation which he had rejected in 1690 and 1691. The mediator at Rijswijk, in fact, found his task to be largely one of confirming agreements already made in his absence and of preventing an open breach between the Maritime Powers and the emperor.

William III's policy in the north during these years thus enjoyed only a limited success; he failed to secure significant military or any other aid from either Sweden or Denmark-Norway. Although he made serious mistakes, such as his brusque attempt to impose his trade ban without assessing adequately beforehand the likely reaction of the neutrals, and although he often failed to appreciate the interests and ambitions of the two powers, he was faced with many factors over which he had little control. The mutual distrust of Denmark and Sweden could be useful when they threatened to unite against the interests of the Allies, but it might also cause alliance with one to drive the other into the opposing camp. Military success might persuade them to join the winning side but might equally well provoke a reaction to preserve the balance of power in Europe, with which they were both deeply concerned. William did relax his measures against neutral trade before they resulted in open hostilities and might have been able to ease the tension even more had his control over his privateers been more complete. He was most successful in preventing France, by his intervention in the Holstein-Gottorp and Saxe-Lauenburg disputes, from benefiting from a northern diversion which at best would deprive him of valuable German troops.

#### *MS. Sources*

##### Public Record Office

S.P. 75/22-4; despatches from Denmark, 1685-1702.

S.P. 95/13-14; despatches from Sweden, 1689-96.

S.P. 104/26, 153, 194, 197; secretary of state's letter books: Sweden, Denmark, Germany and Poland, 1694-1700.

##### British Museum

Add. MSS. 7076, 15572, 40800-2; letters and letter books of Hugh Greg in Copenhagen, 1691-1704.

Add. MSS. 9722, 37991-2, 39860: letter books and drafts of letters of William Blathwayt, 1692-1703.

Add. MS. 35105: letters from John Robinson in Sweden, 1693-1708.

Add. MS. 21488: letters between Heinsius and Blathwayt, 1693-9.

## The Hague, Algemeen Rijksarchief

- Archief der Staten-Generaal: 138-55, 2336-42: States-General resolutions, 1689-97.  
 5926-8, 7274-5: despatches from Denmark, 1688-97.  
 6547-51, 7284-5: despatches from Sweden, 1680-98.

Archief van Anthonie Heinsius: letters to Heinsius from envoys in Denmark and Sweden, 1691-7.

## The Hague, Koninklijk Huisarchief

- Inventaris 16:XIc: correspondence between William III and Heinsius, 1689-97.

## Copenhagen, Rigsarkivet

- Geheimekonseilet 3-5: council resolutions, 1690-7.  
 T.K.U.A. Almen Del: England AIIId: Greg's correspondence with Blathwayt, 1694-1719.

## Stockholm, Riksarkivet

- Rådsprotokoll 90-1, 93-5: council minutes, 1690-7.  
 Utrikes Registratur 1689-97: foreign entry books.  
 Kanalkollegii Arkiv: Renskrivna protokoller 1687-95: chancery minutes.  
 Diplomatica: Anglica: despatches from England, 1688-1702; conference minutes, 1664-99.  
 Hollandica: despatches from the United Provinces, 1688-97; conference minutes, 1680-97.

# Historical Manuscripts

## A. ACCESSIONS

### THE BRITISH MUSEUM

#### Department of Manuscripts

Historical and literary MSS.<sup>1</sup> incorporated into the collections during 1962 include:

Chartulary of Bruton priory, Som., 13th cent. (Egerton MS. 3772).

Fifteen deeds of the family of Caxton, of Little Wrating, Suff., 1420-67 (formerly Loan No. 25; now Add. Ch. 75505-75519).

Transcripts of French historical documents, chiefly of acts of François I, mostly from registers of the *Chambre des Comptes de Bretagne*, now in the *Archives départementales, Loire-Inférieure*, 18th cent. (Add. MS. 50866).

Autobiography of Edmund Calamy (1671-1732); copy, 18th cent. (Add. MSS. 50958, 50959).

Letters of French royalists and émigrés to William Windham, M.P., secretary at war, 1795; supplementing Add. MSS. 37855-37872 (Add. MS. 50851).

Letters, collected as autographs, addressed to members of the Case, Stansfeld and Baily families, 1813-1919 (Add. MSS. 50956, 50957).

Letters from R. S. Poole, of the Department of Coins and Medals, British Museum, to Sir John Gardner Wilkinson, on Egyptological subjects; 1851-7 (Add. MS. 50952).

Diaries of Lt.-Col. Charles Deymer Baillie, of his service in the Far East, including the Chinese War of 1860; 1857-74 (Add. MSS. 50954, 50955).

Correspondence of C. T. Newton, Keeper of Greek and Roman Antiquities in the British Museum, with members of the government and others, on departmental matters; 1877-84 (Add. MS. 50850 1).

Records of the Chiswick Press, supplementing Add. MSS. 41867-41960, 43975-43989, Add. Ch. 70986-71003; 1880-1954 (Add. MSS. 50910-50950).

Memoranda and correspondence of Charles Prestwich Scott, editor of the *Manchester Guardian*; 1911-28 (Add. MSS. 50901-50909).

Correspondence and notes of John Lane, publisher (d. 1925), concerning the sculptor Prince Hoare (d. 1769) (Add. MS. 50857).

M. A. BORRIE

### PUBLIC RECORD OFFICE

For a summary of records transmitted during 1962 see *4th Annual Report of the Keeper of Public Records on the Work of the Public Record Office . . . 1962*.

<sup>1</sup>The inclusion of a MS. in this list does not necessarily imply that it is available for study: some time must elapse before unbound papers can be arranged and bound, and some MSS. may be reserved from public use.



*COUNTY COUNCIL RECORD OFFICES AND OTHER  
INSTITUTIONS*

A detailed list of historical manuscripts recently acquired by local and other repositories will be found in Historical Manuscripts Commission, National Register of Archives, *List of Accessions to Repositories in 1961* (London, H.M.S.O., 1962).

B. MIGRATIONS

[The following is a select list of historical MSS. recently offered for sale by booksellers or auctioneers. References to booksellers' catalogues are by name, number of catalogue, page and number, to auctioneers' catalogues by name, date of first day of sale, and number of lot.]

**Miscellaneous Documents.**

**English before 1603.**

Privileges granted to English merchants in the Low Countries, 1286-1506, copies of documents. (Sotheby & Co., 10. xii. 1962, no. 140.)

Registrum brevium, [1st half 14th cent.]. (Phillips MS. 7379.) (Sotheby & Co., 10. xii. 1962, no. 144.)

Statuta Angliae, [14th cent.]. (Quaritch, no. 833, p. 6, no. 17.)

Statuta Angliae, [early 14th cent.]. (Quaritch, no. 833, p. 6, no. 18.)

Statutes, [late 15th cent.]. (Sotheby & Co., 17. xii. 1962, no. 150.)

Psalter with calendar containing entries of births, marriages and deaths of the Ashley family, 1440-59, [14th cent.]. (Sotheby & Co., 10. xii. 1962, no. 138.)

Edward IV: letter signed by him as earl of March, and by Edmund, earl of Rutland, to the duke of Milan, introducing Anthony de la Tour as their envoy to the pope, 10 Dec. 1460. (Sotheby & Co., 29. x. 1962, no. 173.)

Henry VIII: letters patent to the Cinque Ports wardens requiring them to call out levies to repel enemy attacks, 14 Feb. 1523. (Winifred A. Myers, no. 4 (1962), p. 19, no. 103.)

Dudley, John, Viscount Lisle: letter to Sir Michael Stanhope relating to ships pressed at Newcastle for the

king's service, 11 March [c. 1542]. (Winifred A. Myers, no. 4 (1962), p. 63, no. 366.)

Howard, Lord William, 1st Baron Howard of Effingham: document assessing wages of Richard Turner for tax, 16 July 1558. (Winifred A. Myers, no. 4 (1962), p. 40, no. 218.)

Beaumont, Francis: deed regarding his livery in the lordships and manors of Derbys. and Leics., 10 Feb. 1585. (Winifred A. Myers, no. 4 (1962), p. 11, no. 47.)

Elizabeth I: letters patent committing to Francis Drake the charge of the fleet, 15 March 1587. (Sotheby & Co., 5. xi. 1962, no. 389.)

Drake, Sir Francis: letters of attorney to his wife Elizabeth and brother Thomas, 30 May 1588. (Sotheby & Co., 5. xi. 1962, no. 381.)

Drake, Sir F.: indenture appointing Anthony Rouse, William Strode and Christopher Harris his attorneys during his absence from England, 28 Aug. 1595. (Sotheby & Co., 5. xi. 1962, no. 386.)

Drake, Sir F.: document appointing his brother Francis his heir, 27 Jan. 1596. (Sotheby & Co., 5. xi. 1962, no. 385.)

Drake, Sir F.: inquisition *post mortem*, 3 Nov. 1596. (Sotheby & Co., 5. xi. 1962, no. 387.)

**English after 1603.**

Raleigh, Sir Walter: A Discourse Touchinge a Marriage betweene Prince Henrye of England and a daughter of Savoye, [c. 1611]. (Sotheby & Co., 30. vii. 1962, no. 554.)

Severall speeches and passages in the Parliament holden at Westminster, 6 Feb. 1625. (Sotheby & Co., 17. xii. 1962, no. 187.)

Sandford, Francis (1630-94): collection of heraldic and genealogical papers. (Sotheby & Co., 2. vii. 1962, no. 215.)

Royal Society: 29 vols. of account-books etc. including contemporary copies of financial records, 1660-1768. (Sotheby & Co., 29. x. 1962, no. 185.)

Will of Thomas Wescott, mariner, of Horsedowne in the parish of St. Olave's, 14 Nov. 1662. (Sotheby & Co., 23. vii. 1962, no. 233.)

Victualling books of H.M. Yacht *Fubbs*, 1687-8, 1699. (Sotheby & Co., 17. xii. 1962, no. 843.)

Contemporary copies of admiralty documents signed by Pepys and others, [c. 1689]. (Sotheby & Co., 17. xii. 1962, nos. 841-2.)

Shelley family pedigree, 18th cent., with 19th cent. additions. (Winifred A. Myers, no. 4 (1962), p. 78, no. 470.)

House of commons proceedings, 25 July-21 Nov. 1715. (Winifred A. Myers, no. 4 (1962), p. 64, no. 375.)

Order-book of the navy at Sheerness, 1721-5. (Francis Edwards, no. 839, p. 48, no. 1010.)

Martyn, Benjamin: Some Account of the Design of the Trustees for establishing Colonys in America, [c. 1730]. (Sotheby & Co., 5. xi. 1962, no. 354.)

Scott, George: two letter-books, 1745-6 and 1780. (Winifred A. Myers, no. 4 (1962), p. 75, no. 454.)

Assize cases, 1750-86. (Winifred A. Myers, no. 4 (1962), p. 46, no. 257.)

Wolfe, James: transcripts of 8 letters, 1758-9, to Brigadier James

Murray, [late 18th cent.]. (Sotheby & Co., 17. xii. 1962, no. 839.)

Banks, Sir Joseph: transcript of journal kept on board H.M.S. *Endeavour*, 1768-71 [early 19th cent.]. (Quaritch, no. 828, front cover.)

Romney, George: account-book, 1777-82. (Sotheby & Co., 30. vii. 1962, no. 558.)

Clinton, Sir William H.: two letter-books, 1801-2 and 1820-2, 1812. (Winifred A. Myers, no. 4 (1962), p. 21, no. 109.)

Log-book of H.M.S. *Donegal*, 1805-6. (Hodgson & Co., 13. xii. 1962, no. 595.)

Log-books of H.M.S. *Blake*, 1809-11, 1812-13. (Francis Edwards, no. 839, p. 4, no. 53.)

Letter-book of Capt. Pulteney Malcolm, 1812-17. (Hodgson & Co., 13. xii. 1962, no. 597.)

Log-books of H.M.S. *Rhin* and *Sybille*, 1814-19. (Hodgson & Co., 13. xii. 1962, no. 598.)

Log-book of H.M.S. *Leander*, 1816-19. (Francis Edwards, no. 839, p. 22, no. 465.)

Jervis, Martha H. G.: journal, 1817-24. (Winifred A. Myers, no. 4 (1962), p. 43, no. 237.)

Minute book of the 'Athenaeum' Literary Society, held at Serle's Coffee House, Chancery Lane, etc., 1817-19. (Hodgson & Co., 13. xii. 1962, no. 414.)

Log-books: *Jasper*, Liverpool to Boston and New York, 1819, *Ann Maria*, New York to Liverpool, 1820, etc. (Francis Edwards, no. 839, p. 28, no. 602.)

Wellesley, Arthur, 1st duke of Wellington: 10 letters to his nephew William Long Wellesley, 1825-7. (Maggs Bros., no. 885, p. 42, no. 194.)

Wolff, Joseph: 13 letters about his missionary journeys etc., 1826-54. (Maggs Bros., no. 885, p. 43, no. 200.)

Moore, Thomas: 87 letters to Mary Shelley, 1827-41. (Sotheby & Co., 2. vii. 1962, no. 287.)

Landor, Walter Savage: 140 letters to his family, 1832-60. (Sotheby & Co., 3. xii. 1962, nos. 84-7.)

Wellesley, Arthur, 1st duke of Wellington: 94 letters to Miss A. M. Jenkins, 1833-51. (Sotheby & Co., 29. x. 1962, no. 183.)

Wellesley, Arthur, 1st duke of Wellington: 86 letters to Robert H. Jenkinson, lieutenant governor of Dover Castle, 1834-46. (Sotheby & Co., 17. xii. 1962, no. 838.)

Jowett, Benjamin: 40 letters to John Ffoliott of Sligo, Ireland, 1851-92. (Maggs Bros., no. 885, p. 21, no. 98.)

Log-book of H.M.S. *Desperate*, 1862-3. (Hodgson & Co., 13. xii. 1962, no. 599.)

Hodgson, Captain: journal of H.M.S. *Ariadne* to Egypt etc. with the Prince and Princess of Wales on board, 1869. (Winifred A. Myers, no. 4 (1962), p. 28, no. 150.)

Hill, Octavia: 319 letters to Sir Sydney Cockerell and his family, 1873-1912. (Sotheby & Co., 3. xii. 1962, no. 77.)

Gordon, Charles George: 14 letters to Monsieur Olgarnier, 1877-80. (Sotheby & Co., 30. vii. 1962, no. 596.)

Victoria, Queen: 22 letters to Ismania, Lady Southampton, 1878-99. (Sotheby & Co., 2. vii. 1962, no. 280.)

### European.

Charles V, Emperor: letter to 'Cousin Duke' announcing his consecration as King of the Romans, Aix-la-Chapelle, 23 Oct. 1520. (Maggs Bros., no. 885, p. 6, no. 26.)

Charles V, Emperor: letter to the duke of Arcos announcing his decision to raise troops to defend his kingdom against France, 17 March 1523. (Sotheby & Co., 2. vii. 1962, no. 205.)

Corsica. Buonaparte, Carlo: commonplace book, 1780-3. (Sotheby & Co., 23. vii. 1962, no. 244.)

France. Rent receipt by Isabel la

Corsade, prioress of Montmirail convent, May 1395. (Winifred A. Myers, no. 4 (1962), p. 33, no. 170.)

France. 17 financial documents, 1382-1455. (Sotheby & Co., 17. xii. 1962, no. 799.)

France. Aveu rendu au Roy de la baronnie de Craon, 1534-5. (Sotheby & Co., 29. x. 1962, no. 156.)

France. Letter-book of the Garde Nationale at Moutigny, 1834-43. (R. Hatchwell, Little Somerford, Chippenham, no. 18, p. [51], no. 292.)

Italy. Marco Polo, nephew of the traveller: letter to Donato Superanzio in Marina with reference to his uncle, Damascus, 1404. (Sotheby & Co., 17. xii. 1962, no. 811.)

Spain. Contract for the painting of the tomb of Beatriz, queen of Portugal, by John Gonsalvez, Burgos, 23 July 1276. (Sotheby & Co., 17. xii. 1962, no. 814.)

Maps and drawings relating to the European campaigns of William Augustus, duke of Cumberland (1721-65). (Sotheby & Co., 17. xii. 1962, nos. 217, 219-25.)

Rust, Stephen: journal of a tour through Holland and Belgium to France, 1731-3. (Sotheby & Co., 17. xii. 1962, no. 845.)

Stanley, Sir John T.: Journeys into different parts of Europe in the years 1781-4. (Winifred A. Myers, no. 4 (1962), p. 80, no. 487.)

Watkins, Thomas: Journal of tour on the Continent, 1787-8. (Sotheby & Co., 2. vii. 1962, no. 222.)

### British Local.

Berks.: deed confirming grant of land by Willelmus the Smith of Ascot in Winkfield, [12th cent.]. (Maggs Bros., no. 885, p. 7, no. 31.)

Camba.: grant of lands in Ashley and Silverley by Alice Randolph to the prior of the hospital of St. John of Jerusalem, 1305. (B. Halliday, Leicester, no. 281, p. 36, no. 793.)

**Camb.**: sale by John Skip, master, and the scholars of Gonville Hall, to Sir Edward North, of the manor of Bansted in Kirtling, 5 Jan. 1539. (B. Halliday, Leicester, no. 281, p. 36, no. 795.)

**Cornw.**: sale by Francis Drake to Richard Carew of his manor of Pensengnace in the parishes of Gwennap and Kea, 27 Aug. 1595. (Sotheby & Co., 5. xi. 1962, no. 384.)

**Devon**: grant by William Towker to Richard Grenville and others of properties in Exeter, 6 Feb. 1559. (Sotheby & Co., 5. xi. 1962, no. 392.)

**Devon**: deposition from John Courtyas about mills in Ashprington, 27 Feb. 1568. (B. Halliday, Leicester, no. 281, p. 37, no. 830.)

**Devon**: lease by Richard Grenville to John Fytz of fishing rights in Buckland Monachorum, 1 March 1568. (Sotheby & Co., 5. xi. 1962, no. 392.)

**Devon**: 8 documents concerning the purchase of the estate of Buckland Monachorum by Francis Drake, [1580-3]. (Sotheby & Co., 5. xi. 1962, no. 379.)

**Devon**: deed assigning to Edmond Tremayne, John Hele and Christopher Harrys the interest in tenements in Plymouth leased to Francis Drake, 10 Aug. 1581. (Sotheby & Co., 5. xi. 1962, no. 380.)

**Devon**. Elizabeth I: draft of letters patent granting manor of Sherford to Francis Drake, 12 Jan. 1582. (Sotheby & Co., 5. xi. 1962, no. 388.)

**Devon**: sale by Francis Drake to Richard Hawkins of rights in the manor of Sidbury, 22 Oct. 1592. (Sotheby & Co., 5. xi. 1962, no. 382.)

**Devon**: Sir Edward Seaward's Charity (Clyst St. George?), papers relating to, 1706-33. (Winifred A. Myers, no. 4 (1962), p. 19, no. 98.)

**Devon**: letter-book containing c. 170 letters from Robert Lawson of Chirton, near Teignmouth, 1721-36.

(Hodgson & Co., 15. xi. 1962, no. 587.)

**Essex**: charter of Sir Ralph de Ardene granting to Tilty abbey, Essex, lands in Chaureth, [13th cent.]. (B. Halliday, Leicester, no. 281, p. 38, no. 839.)

**Glos.**: conveyance of land in Southam and Woodmancote, 1 Feb. 1366. (Winifred A. Myers, no. 4 (1962), p. 55, no. 312.)

**Hants**: grant by Robert Sirbudel to Dru de Frivilla of land in Barton Stacey, [c. 1227]. (B. Halliday, Leicester, no. 281, p. 38, no. 849.)

**Hants**: grant to Richard [de Enford], prior of Winchester, of land in Barton Stacey, 23 June 1324. (B. Halliday, Leicester, no. 281, p. 38, no. 855.)

**Herts.**: polling list for St. Albans, [James West, 1741-68]. (Sotheby & Co., 29. x. 1962, no. 186.)

**Kent**: agreement between William Hyllis and Richard Alcock concerning a messuage, etc., in Tenterden, 13 Apr. 1535. (B. Halliday, Leicester, no. 281, p. 40, no. 875.)

**Kent**: terrier of Allhallows, 1804. (B. Halliday, Leicester, no. 281, p. 39, no. 866.)

**Kent**: account-book of a family living in or near Shoreham, 1837-9. (G. W. Walford, List No. HB/166, p. 70, no. 668.)

**Leics.**: survey of 2 farms in the manor of Scalford belonging to Mrs. Ann Bagaley, 1730. (B. Halliday, Leicester, no. 281, p. 41, no. 908.)

**Leics.**: diary and account-book of John Simmonds of the Butt House, Blackfordby, 1796-1803. (B. Halliday, Leicester, no. 281, p. 40, no. 890.)

**Lincs.**: terrier of lands belonging to Lincoln cathedral chapter, [15th cent.]. (Sotheby & Co., 10. xii. 1962, no. 148.)

**Lincs.**: rental of lands in Lincoln belonging to the guild of Corpus Christi, Boston, 1489. (Sotheby & Co., 10. xii. 1962, no. 149.)

**London**: sale by Francis Drake to

Paul Bannynge of the remainder of his lease of the house 'the Herbar' in Dowgate ward, 28 May 1593. (Sotheby & Co., 5. xi. 1962, no. 383.)

London: account-book of the overseers of the poor, Wapping Stepney in Stepney parish, 1727. (G. W. Walford, List No. HB/166, p. 79, no. 745.)

Middlesex: report on alehouse-keepers, plays and games, etc., in South Mimms, [c. 1555]. (Sotheby & Co., 29. x. 1962, no. 244.)

Norf.: grant by Isabella de Bovill to Sir William de Ulchor of a mill in Glos-thorp, Bawsey, called 'Londmilne', [c. 1200]. (B. Halliday, Leicester, no. 281, p. 38, no. 850.)

Norf.: grant by John de Bernardys-ton of Fitcham to Wm. Lambryche of Appleton, 1383. (Winifred A. Myers, no. 4 (1962), p. 55, no. 313.)

Norf.: charter relating to land at Osmondiston and Scole, 1508. (Sotheby & Co., 29. x. 1962, no. 174.)

Northants.: quitclaim of Robert and Lawrence Washington relating to land in Sulgrave, 10 Oct. 1601. (Sotheby & Co., 5. xi. 1962, no. 378.)

Northumb.: note-book and diary kept by a resident of Norham, 1765-6 and 1769-71. (Hodgson & Co., 15. xi. 1962, no. 589.)

Notts.: accounts of tithes of hay, by the wardens of the Free School, Nottingham, 1598-1636. List of boys recommended or accepted at the school, 1809-30. (Hodgson & Co., 15. xi. 1962, no. 580.)

Salop: grant of land in Linley to Haughmond priory by Grant de Mideltune, [c. 1200]. (Sotheby & Co., 29. x. 1962, no. 174.)

Som.: Glastonbury abbey deed, 1347. (Sotheby & Co., 30. vii. 1962, no. 604.)

Suff.: accounts for rebuilding mills, bridges etc. at Mildenhall, [1544]. (Sotheby & Co., 29. x. 1962, no. 261.)

Suff.: agreement between T. Seckford and Wm. Reve regarding manor

of Woodbridge Priory, 4 Nov. 1564. (Winifred A. Myers, no. 4 (1962), p. 77, no. 463.)

Suff.: record book of the Botesdale Book Society, 6 Oct. 1778-6 July 1789. (Sotheby & Co., 17. xii. 1962, no. 833.)

Worcs.: Bewdley district diary relating to excise, 1772. (Winifred A. Myers, no. 4 (1962), p. 30, no. 157.)

Yorks.: grant by Wm. de Neville to the Knights Templar of lands in Lepton, [c. 1185]. (B. Halliday, Leicester, no. 281, p. 47, no. 1089.)

Yorks.: grant by Wm. Tingtor to the Knights Templar of the rent of his lands in Lepton, [c. 1185]. (B. Halliday, Leicester, no. 281, p. 47, no. 1088.)

Yorks.: grant by Galfridus de Rhufford to Robert de Eltoft and John de Camera, of lands in Rufforth, [c. 1200]. (B. Halliday, Leicester, no. 281, p. 46, no. 1062.)

Yorks.: grant of land at Richmond by Roger de Laccles to his son, [c. 1220]. (Maggs Bros., no. 885, p. 3, no. 12.)

Yorks.: charters relating to land around Snaith, including Goldale, Drax, Pollington, etc., [13th-16th cent.]. (Sotheby & Co., 23. vii. 1962, no. 234.)

Yorks.: grant by Sir John Darcy to Margaret Tyas of the manor of Slaithwaite, 1355. (B. Halliday, Leicester, no. 281, p. 46, no. 1063.)

Yorks.: chartulary of Kay family of Woodsome, 15th cent. (Phillipps MS. 15080.) (Sotheby & Co., 30. vii. 1962, no. 610.)

Yorks.: Kay, John: commonplace book containing household and estate accounts and memoranda, c. 1561-91, with a rental of Woodsome, 1583. (Phillipps MS. 25651.) (Sotheby & Co., 30. vii. 1962, no. 613.)

Yorks.: survey of the estates of John Neville, 4th Lord Latimer, [c. 1577]. (Sotheby & Co., 23. vii. 1962, no. 235.)

Yorks.: transcripts of indentures, c. 1735-8. (Hodgson & Co., 15. xi. 1962, no. 590.)

Yorks.: poor accounts for Wilberfoes, 1799-1828. (Sotheby & Co., 29. x. 1962, no. 179.)

Scotland. Deed of resignation by Alexander, Lord Horne, of the lands and barony of Touchadam in favour of Sir William Murray, 27 Feb. 1507. (Maggs Bros., no. 885, p. 30, no. 132.)

Scotland. Douglas, James, 4th earl of Morton: letter to the laird of Barnbarroch concerning tithes in Galloway, 26 May 1573. (Maggs Bros., no. 885, p. 29, no. 129.)

Scotland. 2 orderly books of the Montrose Loyal Volunteers, Feb. 1799-May 1802 and Aug.-Dec. 1803. (Winifred A. Myers, no. 4 (1962), p. 56, no. 319.)

#### American and Overseas.

Africa. Lee, Mrs. Sarah (1791-1856): History of African exploration. (Sotheby & Co., 29. x. 1962, no. 207.)

Africa. Journal of the guide Isaaco covering his journey in 1810 to discover the fate of Mungo Park's last expedition, [c. 1811]. (Sotheby & Co., 17. xii. 1962, no. 850.)

Africa. Tyler, Sir Charles: general standing orders during his term as commander-in-chief, Cape of Good Hope Station, 1813-15. (Quaritch, no. 828, p. 53, no. 501.)

Africa. Simpson, William: A Private Journal of the Niger Expedition, 1841-2. (Sotheby & Co., 30. vii. 1962, no. 563.)

Africa. Account-book of the City of London Imperial Volunteers, 1899-1900. (Winifred A. Myers, no. 4 (1962), p. 3, no. 6.)

America. Bradley, Elisha, corporal in the Revolutionary Army: journal, 22 Feb. 1776-17 March 1777. (Sotheby & Co., 5. xi. 1962, no. 355.)

America. Bates, George H., soldier in the Connecticut Volunteer Artillery:

150 letters to his family, 1862-5. (Sotheby & Co., 5. xi. 1962, no. 357.)

America and West Indies. Irving, Sir Paulus Aemilius: 3 letter-books, with copies of letters from America, the West Indies etc., 1780-1801. (Hodgson & Co., 15. xi. 1962, no. 595.)

America and West Indies: 12 letters to Capt. James C. Murray from his son in Havana and Bahia, 1829-38, Jacksonville, Ill., 1851. (Winifred A. Myers, no. 4 (1962), p. 6, no. 22.)

West Indies. Herrera, Antonio de: The Description of the Ilandes, [c. 1620]. (Quaritch, no. 828, back cover.)

West Indies. Collection of documents and autograph letters, 1736-66. (Phillipps MS. 17094.) (Sotheby & Co., 23. vii. 1962, no. 240.)

Jamaica: letters and papers concerning the estates of the Wilson family of Broomhead, Yorks., c. 1692-1770. (Sotheby & Co., 30. vii. 1962, no. 612.)

Mexico. Cortes, Martin, marques del Valle: account of taxes due to the Holy Church of Mexico City, 3 June 1559. (Sotheby & Co., 23. vii. 1962, no. 239.)

Long, Richard: address to William III, outlining his plan to capture 5 Spanish gold mines in Darien, 5 Dec. 1700. (Quaritch, no. 828, p. 35, no. 343.)

Memoria dela costa rica, *including* Relacion del viage del cosario yngles [i.e. Francis Drake], [early 17th cent.]. (Howes Bookshop, Hastings, no. 150, p. 35, no. 448.)

China. Bowring, Sir John: 26 letters to his sons when British plenipotentiary to China and governor of Hong Kong, 1849-59. (Sotheby & Co., 29. x. 1962, no. 211.)

India. Blacker, Valentine: letter-book, 1799-1813. (Hodgson & Co., 15. xi. 1962, no. 597.)

India. Riddell, William: letters from India to his wife, 1841-59, including 147 during the Afghanistan

campaign, 1841-3. (Sotheby & Co., 17. xii. 1962, no. 851.)

Journal of a voyage in the *Harrington* commanded successively by Robert Jenkins and Charles Foulis, to China and St. Helena, 1741-5. (Sotheby & Co., 17. xii. 1962, no. 846.)

Willshire, Sir Thomas: album of letters and papers concerning his services at the Cape, in India, etc., 1819-62. (Sotheby & Co., 30. vii. 1962, no. 562.)

Log-book of H.M.S. *Orion*, to the West Indies, etc., 1855-7. (Sotheby & Co., 30. vii. 1962, no. 564.)

Log-book of the barque *Northfleet*, London to Canton and return, 24 March-29 Dec. 1862. (Francis Edwards, no. 839, p. 19, no. 401.)

Log-book of the *Silver Eagle*, London to Shanghai and Foochow, several voyages, 1866-71. (Winifred A. Myers, no. 4 (1962), p. 49, no. 270A).

*A new volume in Nelson's*  
**MEDIEVAL TEXTS**

*General Editors: Professors V. H. GALBRAITH FBA HON DLITT*  
*Sir ROGER MYNORS FSA and C. N. L. BROOKE FR HIST S*

# **The Life of St Anselm**

*by Eadmer*

Edited by R. W. SOUTHERN

The author of the *Life* was about nineteen and a monk of the cathedral church of Canterbury, when he first met Anselm in 1079. Anselm was then forty-nine and had recently become Abbot of Bec.

In 1093 Anselm became Archbishop of Canterbury and from this time until the death of Anselm in 1109 he and Eadmer were constantly together. Eadmer must have begun early to write down what he saw and heard in the Archbishop's company and before long he conceived the plan of writing a full biography. When Anselm discovered the work he at first helped Eadmer with its correction. Later, however, in or shortly after 1100, he ordered its destruction. This Eadmer was obliged to carry out, but not before he had made a copy. Eadmer probably did not add to the work during the rest of Anselm's lifetime, but after the Archbishop's death he finished the work, which is still the best *Life* of one of the greatest figures of the Middle Ages.

The editor is Chichele Professor of Modern History at Oxford and acknowledged as the greatest living expert on Anselm.

87 x 54

xxxvi + 356 pp

Now ready

50s

*Coming in the Summer*

## **The Chronicle of Richard of Devizes**

Edited by J. T. APPLEBY

*In the same series* 42s

## **Roman Britain and Early England 55 BC-AD 871**

By PETER HUNTER BLAIR

VOLUME I in 'A History of England' series

25s

## **Great Historical Enterprises and Problems in Monastic History**

By DAVID KNOWLES

30s

**NELSON**



# The Antiquaries Journal

*Being the Journal of the Society of Antiquaries of London*

VOLUME XLIII

1963

Part 1

## CONTENTS

Fishbourne Excavation Report by *B. Cunliffe*; Cirencester Excavation Report by *J. S. Waker, F.S.A.*; British Bronze Bowl from Poland by *J. V. S. Megaw*; Sugar Loaf Boases by *Miss V. Evison, F.S.A.*; Kelmscott by *A. R. Duffy, Sec. S.A.* Notes; Reviews; Bibliography; Periodical Literature; Proceedings.

Annual Subscription, 40s. post free  
Of all Booksellers

PUBLISHED FOR THE SOCIETY OF ANTIQUARIES  
BY  
THE OXFORD UNIVERSITY PRESS, WAFLEICK SQUARE, E.C.4

## THE HISPANIC AMERICAN HISTORICAL REVIEW

A quarterly review devoted to the history of Latin-American countries. Includes bibliographical section and book reviews. The *Hispanic* is published with the co-operation of the Conference on Latin American History of the American Historical Association.

*Managing Editor:* Donald E. Worcester  
*Assistant Managing Editor:* Walter A. Payne  
*Associate Archivist:* John P. Harrison

*Board of Editors:* George Kubler, Woodrow W. Borah, Howard F. Oline, Fritz L. Hoffman, Edwin Lieuwen, John P. Harrison, John J. Johnson, Richard M. Morse, Robert A. Potash, Stanley R. Ross, Stanley J. Stein.

*Price:* Annual subscription, Latin America and Spain, \$4.00; Great Britain, 45s. net, plus postage 4s. 6d.; all other countries, \$6.00, plus \$1.00 a year additional for postage. Current issue, \$1.75 or 13s. 6d., plus postage; back issues, \$2.00 or 15s., plus postage.

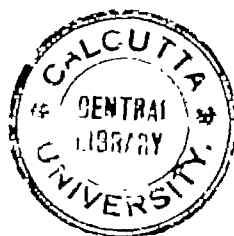
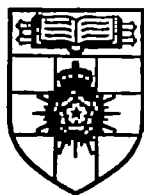
*Published by*

DUKE UNIVERSITY PRESS  
Box 6697, College Station, Durham, North Carolina

*Agents in Great Britain*

CAMBRIDGE UNIVERSITY PRESS  
Bentley House, 200 Euston Road, London, N.W.1

BULLETIN  
OF THE  
INSTITUTE  
OF  
HISTORICAL  
RESEARCH



Vol. XXXVI No. 94

November 1963

UNIVERSITY OF LONDON  
**The Athlone Press**

## CONTENTS

Articles.	PAGE
Marriage and politics in the fifteenth century: the Nevilles and the Wydevilles. J. R. LANDER . . . . .	119
Radicalism in Trinidad and Colonial Office reactions, 1855-6. MARY CUMPTON . . . . .	153
The Union of Democratic Control during the First World War. H. HANAK . . . . .	168
<b>Notes and Documents.</b>	
An English endowment for the Collège Saint-Bernard. C. H. LAWRENCE . . . . .	181
Four early Tudor financial memoranda. SYBIL JACK and R. S. SCHOFIELD . . . . .	189
Proceedings in the house of commons, 1721-2. A. N. NEWMAN	206
<b>Historical News</b> . . . . .	213
<b>Summaries of Theses.</b>	
246. British historical writing from Alexander Dow to Mountstuart Elphinstone on Muslim India. J. S. GREWAL, Ph.D. .	217
247. Anglo-Swiss relations, 1845-60. ANN G. IMLAH, Ph.D. .	218
<b>Historical Manuscripts—Migrations</b> . . . . .	224
<b>Index</b> . . . . .	227

---

The Editor of the Bulletin is PROFESSOR FRANCIS WORMALD, *Director of the Institute*. It is published twice a year, in May and November. The present price of each number is 15s. The annual subscription of 30s. covers two numbers, the *Theses Supplement* and occasional *Special Supplements*; also the *Annual Report of the Institute*.

Forms for subscriptions or for Bankers' Orders may be obtained on application to the Secretary, Institute of Historical Research, Senate House, W.C.1. Inquiries for back numbers of the Bulletin and the *Theses Supplements* should be addressed to Messrs. W. Dawson & Sons Ltd., Back Issues Department, 16 West Street, Farnham, Surrey, England.

# BULLETIN OF THE INSTITUTE OF HISTORICAL RESEARCH

---

Vol. XXXVI No. 94

November, 1963

## Marriage and Politics in the Fifteenth Century: The Nevilles and the Wydevilles

IN SPITE of the notoriously fragmented nature of our sources for the mid- and late fifteenth century most general histories give a deceptively firm outline of its political events. In reality the political history of the period is a web of shreds and tatters, patched up from meagre chronicles and from a few collections of letters in which exaggerated gossip and wild rumours have been, all too often, confused with facts.<sup>1</sup> These defects, great enough to leave considerable lacunae in the political narrative, appear even greater when any attempt is made to elucidate the motives of statesmen and politicians. Though voluminous governmental records yield a great array of information about contemporaries most of it is insignificant and quite useless for probing their characters and motives. Observations on characters and motive are so few that some writers have set them down with an indiscriminating greed for information which seems to have atrophied any genuine critical process. Irritable words spoken in a moment of exasperation have been accepted as considered reflections upon a man's character, a unique reference in a dubious chronicle made the basis of a political agreement or the propaganda of political rivals accepted at its face value.

Deceptively clear ideas, therefore, abound on the 'Yorkist party', the significance of Warwick the Kingmaker and the scandalous greed of the Wydevilles. The Wydevilles have come down to posterity with an evil reputation. Rising to sudden eminence, thwarting Warwick's plans 'by the art of a woman or the infatuation of a boy',<sup>2</sup> as Stubbs disobligingly, and untruthfully, remarked (Edward IV was twenty-two when he married Elizabeth Wydeville: his father had been appointed lieutenant-general and governor of France at twenty-five), they were, so runs the tale, one and all, grasping and unworthy from the arrogant, avaricious queen herself to her younger brother who, for money, married a dowager old enough to be his grandmother. At best the family are said to have been the unworthy instruments of Edward IV's supposed attempts to build up a new nobility

<sup>1</sup> E.g. see J. R. Lander, 'Henry VI and the duke of York's second protectorate, 1455 to 1456', *Bull. of the John Rylands Library*, xliii (1960-1), 51-2.

<sup>2</sup> W. Stubbs, *The Constitutional History of England* (1874-8), iii. 200.

to counterbalance the old, in particular, to counterbalance the overwhelming might of his cousins, the Nevilles.<sup>1</sup>

The aspirations, successes and failures of the Nevilles and the Wydevilles, if examined together, illuminate many dark places in the social and political history of the decades between 1450 and 1470; expose the weakness of that hoary myth the 'Yorkist party' and show that the dramatic circumstances of Richard of York's claim to the throne in 1460 and Edward IV's accession a few months later make Warwick the Kingmaker's bitterness—and political isolation—in the later fourteen-sixties easier to understand.

In rather less than two centuries the Nevilles had thriven from simple barons to comital rank, helped on their way by useful, though by no means unusual, marriages to heiresses. In the reign of King John, Robert FitzMaldred, lord of Raby and Brancepeth,<sup>2</sup> had married Isabella de Neville, the heiress of modest estates in Lincolnshire, Yorkshire and Durham.<sup>3</sup> From then onward the name FitzMaldred was never heard of again. Fortunate marriages and settlements brought in the baronies of Middleham and Clavering and various other estates.<sup>4</sup> By 1397 Ralph Neville was so rich and influential that Richard II tried to win his support by granting him the earldom of Westmorland.<sup>5</sup> Two years later Earl Ralph deserted the king for his wife's half-brother, Henry of Lancaster, who richly rewarded him for his services at so critical a time.<sup>6</sup>

In the first decade of the fifteenth century, exploiting the family connexion with the Crown, the Nevilles began the great expansion which made them one of the key factors of national politics in the fourteen-fifties. Earl Ralph I (died 1425) begat on his two wives, Margaret, daughter of Hugh, second earl of Stafford, and Joan Beaufort, John of Gaunt's daughter by Catherine Swynford, no less than twenty-two children, whose careers made up an almost interminable series of matrimonial triumphs. Three of Margaret of Stafford's daughters married north-country barons<sup>7</sup> and the second of her two sons married Mary, the grand-daughter and one of the co-heiresses of Elizabeth Ferrers of Wemme.<sup>8</sup>

This modest, if substantial, success fades before the triumph of Earl

<sup>1</sup> E.g. 'The king, unwilling to sink into the position of a pupil or a tool, had perhaps conceived the notion, common to Edward II and Richard II, of raising up a counterpoise to the Nevilles . . . ' Stubbs, p. 201. See also Sir J. H. Ramsay, *Lancaster and York* (Oxford, 1892), ii. 320. For less guarded expressions of the same theory, C. W. Oman, *Warwick the King-Maker* (1891), pp. 164-5, and *The Political History of England, 1377 to 1485* (1906), p. 424; K. H. Vickers, *England in the Later Middle Ages* (1913), p. 465.

<sup>2</sup> G.E.C., *The Complete Peerage*, ed. V. Gibbs and others (1910-59) (=C.P.), ix. 493-4.

<sup>3</sup> *Ibid.*

<sup>4</sup> *Ibid.*, pp. 496, 498 and n. (a).

<sup>5</sup> *Ibid.*, xii. ii. 544-5.

<sup>6</sup> E. F. Jacob, *The Fifteenth Century* (1961), pp. 319-21.

<sup>7</sup> Lords de Mauley, Dacre of Gillesland and Scrope of Bolton.

<sup>8</sup> C.P., ii. 232-3, v, table between pp. 320 and 321; *D.N.B.*, xiv. 277.

Ralph's plans for the children of his second wife and their descendants. Between 1412 and 1436 there occurred what must certainly be the most amazing series of child marriages in English history—eleven marriages involving thirteen children under sixteen years of age, a young man at the most seventeen, two girls of eighteen or less and five men between twenty and twenty-three<sup>1</sup>. One daughter, Eleanor, married when she was probably no more than nine, Richard Despenser, *de jure* Lord Burghersh, then aged twelve.<sup>2</sup> Within two years she was a widow and remarried to the twenty-one-year-old earl of Northumberland.<sup>3</sup> Her sister, Catherine, at thirteen, married the twenty-year-old earl, later duke, of Norfolk.<sup>4</sup> Cecily, aged nine, was united to the duke of York, then thirteen.<sup>5</sup> A fourth sister, Anne, at the most eighteen and probably younger, married the duke of Buckingham, by the standards of her family a comparatively mature male of twenty-two.<sup>6</sup> Of the sons of Earl Ralph I and Joan Beaufort, the eldest, Richard, at twenty-two or twenty-three, married Alice Montacute, the fifteen-year-old heiress of the earldom of Salisbury.<sup>7</sup> His brothers, William and Edward, could have been at most seventeen and fourteen when they married respectively Joan Fauconberg and Elizabeth Beauchamp. Elizabeth Beauchamp, the heiress of the barony of Abergavenny, was no more than nine.<sup>8</sup> Joan Fauconberg was about fifteen. She had been an idiot from birth but she was, after all, the heiress of the barony of Fauconberg and its broad estates.<sup>9</sup> By 1434 the children

<sup>1</sup> A list of Earl Ralph I's children is given by R. H. C. FitzHerbert, 'Original pedigree of Tailboys and Neville', *The Genealogist*, new ser., iii (1886), 31-5, 107-11. The Neville list is taken from a manuscript then owned by Major William Martin. Its earlier history is unknown. It is said to be in a 15th-cent. hand and the portion with the Kingmaker's name ends 'cuius vite laudes etas futura post sua fata demonstrabit' which seems to date the manuscript before 1471. In any case the second earl of Westmorland (d. 1484) is described as 'qui nunc est'. The manuscript lists the children of Earl Ralph I in order of birth. To calculate their ages I have assumed that a child was born each year. This is, of course, too frequent but it has the advantage of giving each child the highest possible age (see below, n. 5), and thus strengthening the argument. For other ages and for dates of marriage see the following references to *The Complete Peerage*.

<sup>2</sup> *C.P.*, ii. 427. It is stated, however, that he was nearly eighteen at the time of his death which would make him sixteen at the time of his marriage (*ibid.*, iv. 282).

<sup>3</sup> *Ibid.*, ix. 716.

<sup>4</sup> *Ibid.*, pp. 605-7 and 606, n. (f). Earl Ralph had paid 3,000 marks for Norfolk's wardship and marriage. Jacob, p. 321.

<sup>5</sup> *C.P.*, xii. ii. 905-9. According to my calculation (see above, n. 1) she was fifteen at the time of her marriage. According to the *Annales* formerly attributed to William Worcester (*Letters and Papers Illustrative of the Wars of the English in France*, ed. J. Stevenson (Rolls Ser., 1861-4), II. ii. 759, hereafter referred to as Stevenson), she was born on 3 May 1415, which would make her nine. Earl Ralph had again paid 3,000 marks for the wardship and marriage. Jacob, p. 321.

<sup>6</sup> *C.P.*, ii. 388-9.

<sup>7</sup> *Ibid.*, xi. 395.

<sup>8</sup> *Ibid.*, i. 27.

<sup>9</sup> *Ibid.*, v. 281-2, 285 and n. (b). Her father had been subject to attacks of insanity. *Ibid.*, pp. 276-80.

of Richard Neville and Alice Montacute were being put on the market. Young Richard Neville, aged six, and his sister, Cecily, who could have been at the most thirteen, were married to the children of Richard, earl of Warwick, Henry and Anne de Beauchamp, aged eight and nine, as a result of which, fifteen years later, the younger Richard became earl of Warwick.<sup>1</sup> In 1436 his sister Joan, aged eighteen, married the twenty-one-year-old earl of Arundel.<sup>2</sup>

For two other sons of his second marriage Earl Ralph I provided in other ways. For George he acquired by means of a very dubious conveyance, which excluded the rightful heirs, the estates of the Latimer family and from 1432 George was summoned to parliament as Lord Latimer.<sup>3</sup> Robert made his career in the church. At twenty-three, two years below the canonical age, he was provided to the bishopric of Salisbury and was later translated to Durham, the richest see in northern England.<sup>4</sup> Between 1450 and 1455, no less than five Neville brothers, and their nephew, Warwick, were sitting in the house of lords, four of them, like Warwick himself, in the right of heiresses, as well as their nephew of the half-blood, Earl Ralph II of Westmorland, five sons-in-law and several other grandsons of Earl Ralph I.<sup>5</sup>

Fortunately for the English monarchy this great family connexion did not work together in matters political. Inheritance, jointure and other settlement disputes were, at this time, the most fertile source of long and embittered quarrels. Property interests were just as likely to divide families as to unite them. Earl Ralph I's heir, the eldest son of his first marriage, had died during his father's lifetime. His grandson, Ralph II, to whom the title passed, lived to a ripe old age, and even survived his much younger cousin, Edward IV. He played little or no part in politics, probably owing to personal grudges against the chief protagonists, on both sides, of the wars of the Roses.<sup>6</sup> A deep and bitter grievance divided Earl Ralph II from the children of his grandfather's second marriage, for Joan

<sup>1</sup> *C.P.*, XII. ii. 383-93. Henry and Cecily became duke and duchess of Warwick and on the death of their daughter, Anne, Richard Neville's wife inherited and he was granted the earldom.

<sup>2</sup> *Ibid.*, i. 248-9.

<sup>3</sup> *Ibid.*, vii. 479-80; *D.N.B.*, xiv. 265, 277; Jacob, pp. 321, 325-6. George Neville also married an heiress, Elizabeth Beauchamp. He had become insane before 1451.

<sup>4</sup> *D.N.B.*, xiv. 300-1. He had received his first benefice, the prebend of Elton in the collegiate church of St. Andrew, Auckland, at the age of nine and at seventeen or eighteen he was provost of Beverley.

<sup>5</sup> *C.P.*, XII. ii. 547, n. (h).

<sup>6</sup> There seems to be no ground for Oman's statement (*Political History of England*, p. 357) that Earl Ralph II was an invalid. Nor did poverty prevent his taking part in politics for although he had been deprived of the greater part of the Neville lands (see below, pp. 136-7) he inherited, in 1436, through his mother, Elizabeth Holland, one of the co-heiresses, considerable estates from the extinct Holland earldom of Kent. T. B. Pugh and C. D. Ross, 'The English baronage and the income tax of 1436', *ante*, xxvi (1953), 17.

Beaufort had obtained from her husband an excessively large jointure and settlements which ensured that most of the family property would pass to her own children to the detriment of the heir, their stepbrother's son.<sup>1</sup> Ralph II was thus left poorer in land as an earl than his grandfather had been in his early life as a simple baron.<sup>2</sup> By the late fourteen-thirties the quarrel had reached the point of private warfare and the royal council found it necessary to intervene.<sup>3</sup> In these circumstances the second earl of Westmorland was hardly likely to give his support to Henry VI, some of whose chief supporters were to be found amongst the Beauforts. Nor was he likely to favour Richard of York whom the earls of Salisbury and Warwick, from about 1454, strongly supported for their own purposes.

It was not until the mid-fourteen-fifties that the affairs of the younger branch of the Neville family began to affect politics at the highest level. The two Richards, the earls of Salisbury and Warwick, gave no support whatever to Richard of York when he returned from Ireland in 1450 and they were both found in the king's camp during his armed demonstration at Dartford in 1452.<sup>4</sup> The following year, however, Salisbury's younger sons began to quarrel with their cousins, the younger sons of Henry Percy II and their aunt, Eleanor Neville. From now on this family quarrel broke out at intervals and seriously disturbed the politics of the rest of the decade.<sup>5</sup> The most recent writer on these events is disposed to follow William Worcester (or, more accurately, the *Annales* which until recently he was thought to have written) in taking the quarrel between the Percies and Salisbury's younger sons as one of the main causes of the outbreak of the wars of the Roses and in seeing the first battle of St. Albans (1455) as in part, at least, a double faction fight, York versus Somerset and the Percies versus the Nevilles.<sup>6</sup>

Without the support of Salisbury and Warwick the duke of York would have been even less successful than he was in his opposition to the court during the fourteen-fifties. Until 1460 the peerage as a whole stood aloof—and in the last resort they were the people who mattered for they, and no others, commanded the most considerable military resources. At Dartford in 1452 only the earl of Devonshire and Lord Cobham took the field with the duke,<sup>7</sup> though Lord Cromwell may have been obscurely plotting for

<sup>1</sup> See below, p. 137.

<sup>2</sup> *C.P.*, XII. ii. 547, n. (h).

<sup>3</sup> See p. 137, n. 1 and the references there given.

<sup>4</sup> C. L. Scofield, *The Life and Reign of Edward the Fourth* (1923), i. 14-17.

<sup>5</sup> The most comprehensive accounts (which, however, vary in detail) are given in *D.N.B.*, xiv. 280-1 and *C.P.*, v. 33-4.

<sup>6</sup> Stevenson, II. ii. 770. C. A. J. Armstrong, 'Politics and the battle of St. Albans, 1455', *ante*, xxxiii (1960), II, points out that York, Salisbury and Warwick had reached an understanding by April 1454 at the latest and plausibly surmises that the initiative came from the Nevilles. Mr. Armstrong also surmises that the decision to take up arms against the king may have come from them—in order to deal with the Percies.

<sup>7</sup> Scofield, i. 16.



him.<sup>1</sup> Devonshire and Cromwell were never to support York again. At the first battle of St. Albans the only peer, apart from Salisbury and Warwick, known to have fought with York was Lord Clinton, though possibly Viscount Bouchier<sup>2</sup> and Lord Cobham<sup>3</sup> might be included. Even Salisbury's brother, Lord Fauconberg, though he may have been sympathetic, was in the king's camp.<sup>4</sup> After the battle no large group of people could be found to approve York's plans and if the present writer's interpretation of York's second protectorate (October 1455 to February 1456) is correct it was an attempted palace revolution which failed miserably for lack of support.<sup>5</sup>

Just over three years later York made his next attempt to impose his will upon the king by armed force—at Blore Heath and Ludford. The nobility gave him as little support as ever. Salisbury and Warwick apart, there were only two peers with the Yorkist forces, Lord Clinton and Lord Grey of Powys. So until October 1459, though others may have sympathized with him, only one earl and three barons (excluding the two Nevilles and possibly Viscount Bouchier) had been prepared to fight for him.<sup>6</sup> Even the other members and connexions of the Neville family stood aloof. Of the rest not all were found in his camp on any single occasion and none of the three barons counted amongst the most prominent of their class, or even as typical members of it. Clinton and Cobham were impoverished and even the status of Clinton and Grey of Powys was

<sup>1</sup>A priest, who claimed to have heard the last confession of one of the men executed for his part at Dartford, later accused him of treasonable activities and Cromwell found it wise to deny the accusation before the king's council. *Cal. Pat. Rolls 1458-61*, pp. 93-102.

<sup>2</sup>Mr. Armstrong (*ante*, xxxiii. 21, n. 5, 27) thinks it probable that Viscount Bouchier was there but points out that the evidence is not quite conclusive. Although Bouchier was made treasurer after the battle his support for York during the rest of the year was not enthusiastic. He, his brothers and their half-brother, Humphrey, duke of Buckingham seem to have held a kind of middle place between the two main factions. See Lander, *Bull. John Rylands Lib.*, xliii. 54 and the references there given.

<sup>3</sup>Cobham is said to have been present only in a late form of a document called by Mr. Armstrong the 'Stow Relation', printed by John Stow in 1580 and 1592, which includes material not found in the contemporary manuscript amongst the Stonor Papers. Armstrong, *ante*, xxxiii. 1, 27, n. 4. Mr. Armstrong (*ibid.*, pp. 18-19) also points out that Salisbury's nephew, the duke of Norfolk, who arrived late, may have abstained deliberately from fighting and that Sir Thomas Stanley's (Lord Stanley from Jan. 1456) loyalty to Henry VI may have been uncertain. In 1457 Norfolk obtained a licence to go abroad on a pilgrimage (perhaps an attempt to avoid faction). He committed himself unreservedly to the Yorkist cause only in 1461.

<sup>4</sup>One late authority states that Lord Fauconberg was present on the Yorkist side. Mr. Armstrong (*ibid.*, p. 27, n. 7) rejects this.

<sup>5</sup>Lander, *Bull. John Rylands Lib.*, xliii. 46-69.

<sup>6</sup>It is fair to add that the sons of other peers fought for York e.g. Sir William Stanley, Humphrey Bouchier (afterwards Lord Cromwell), John and Edward Bouchier. *Rotuli Parliamentorum* (1783), v. 349-51; *Registrum Thomæ Bourghier*, ed. F. R. H. Du Boulay (Canterbury and York Soc., liv, 1957), p. xix.

somewhat ambiguous.<sup>1</sup> As far as the nobility was concerned the 'Yorkist party', which is such a feature of the general histories of the period, is a myth.

The 'Yorkist party', if we may continue to use so misleading a term, came into being over the next fifteen months. Between York's flight from Ludford (12 October 1459) and Edward IV's accession (4 March 1461), three other Neville peers, two from the Bouchier family<sup>2</sup> (who, although Viscount Bouchier was married to York's sister, had, up to this time, tried to hold a mediating policy between the two extreme groups) and ten others came over. If this list is complete, and considering the meagre quality of the sources it may well not be so, the Yorkist fighting strength in peers during the early months of 1461 was seventeen<sup>3</sup>: a substantial proportion of a total lay peerage of about sixty. The figure appears rather less impressive, however, if the shortage of the higher ranks is taken into account. It includes only two dukes, one earl and one viscount, apart from Warwick.

The reason why so many peers went over to York at this time must remain in the limbo of insoluble problems. Some may have done so for personal reasons.<sup>4</sup> On the other hand, constant dripping may have worn away the political stone. For a whole decade York had shown that he was not prepared to give anyone else the chance to govern. By 1460 some may have felt that, indiscreet and violent as his conduct had been, the results of admitting him to power were at least likely to be an improvement on the growing disorders and political chaos which had resulted from his exclusion. It may be that the attainders of the Parliament of Devils (November–December 1459) had swung opinion in his favour. The sanctity of the inheritance was one of the strongest of contemporary sentiments<sup>5</sup> and

<sup>1</sup>If the figures given in the income tax of 1436 can be trusted, the Clintons were then the poorest of the English baronial families. H. L. Gray, 'Incomes from land in England in 1436', *Eng. Hist. Rev.*, xlix (1934), 618. No writs of summons were issued to Clinton's father between 1432 and 1450. Clinton himself was summoned in 1450–1, 1453, 1455, 1460, 1461 and 1463 but after his death his descendants were not summoned again until 1514. It is possible that Clinton went over to York c. 1455 because of a quarrel with James Fiennes, Lord Say and Sele, with whom he disputed the title of Lord Say.

Mr. Armstrong (*ante*, xxxiii. 27) also describes Lord Cobham as impoverished.

Lord Grey of Powys was twenty-two at this time. Neither he nor his father was ever summoned to parliament (or at least no writs survive). The son is held to have become a peer by taking the special personal oath of fidelity to Henry VI on 24 July 1455. *Rot. Parl.*, v. 282–3. His son John was regularly summoned from 1483 onwards. He seems to have been one of the poorer members of the baronage. Pugh and Ross, *ante*, xxvi. 19, n. 1.

<sup>2</sup>Viscount Bouchier has been included. See p. 124, n. 2.

<sup>3</sup>See Appendix.

<sup>4</sup>E.g. the story told by Leland that Lord Grey of Ruthyn deserted Henry VI because the king had given Lord Fanhope's lands, which he claimed, to the duke of Exeter: *C.P.*, vii. 164, n. (j). Also n. 1 above.

<sup>5</sup>See Lander, 'Attainder and forfeiture, 1453 to 1509', *The Historical Journal*, iv (1961), 145–6.

rumours were spreading, encouraged by, if not originating with, York's friends, that the king's ministers, having alienated the king's inheritance unto themselves, were now turning their covetous eyes towards other men's estates,<sup>1</sup> and intended the utter destruction of their opponents.<sup>2</sup> Whatever conjecture we adopt, the fact remains that not until 1460, the year of his death, did Richard of York attract any appreciable support from the peerage.

Even in 1460 those who rallied to him may well have done so ignorant of his real intentions. After the disaster at Ludford, York and Lord Clinton fled to Ireland, Salisbury, Warwick and York's son, the earl of March, to Calais. In March 1460 Warwick sailed for Ireland to discuss future plans with York. After he returned to Calais the earls there did their part by invading Sandwich on 26 June and marching on London.<sup>3</sup> It is noteworthy that the earls now, as they had always done before, protested their personal loyalty to Henry VI, claiming only that they wished for reform.<sup>4</sup> Early in July Warwick stated publicly in London that they had 'euer bore trew feythe and lygeaunce to the kynges persone'.<sup>5</sup> The events which followed give no reason to doubt their sincerity.<sup>6</sup> They give every reason to question York's. It is strange, to say the least, that York, in spite of the discussions held in Ireland, made no attempt to co-ordinate his own landing in England with that of the earls in Kent—surely the sensible proceeding in so precarious a venture. So far as we know the duke did not even begin to make his own preparations until his friends had already won the fight for him at the battle of Northampton (10 July).<sup>7</sup> Unless there were reasons for his conduct now unknown to us, such delay was either foolishly dangerous or it was a premeditated gamble. Even after he landed at Chester on about 8 September York's progress to London was slow—so slow that the suspicion arises that he dallied

<sup>1</sup>*An English Chronicle of the Reigns of Richard II, Henry IV, Henry V, and Henry VI*, ed. J. S. Davies (Camden Soc., 1856), pp. 79, 82, 89; *The Paston Letters*, ed. J. Gairdner (4 vols., 1910), i. 522, 535.

<sup>2</sup>See the pamphlet 'Somnium Vigilantis', c. 1459-60 (sometimes attributed, rather dubiously, to Sir John Fortescue), printed by J. P. Gilson, 'A defence of the proscription of the Yorkists in 1459', *Eng. Hist. Rev.*, xxvi (1911), 512-25, especially pp. 515-18. The plea that, if the Yorkist lords were utterly destroyed, the realm would suffer more than it had already suffered from their offences, is countered with the argument that they had now offended three times, mercy had been lost on them and they must now be plucked out like a rotten tooth. 'In conclusioun that [*sic*] of this poynt I say that it is more nedefull to the reyaume that thay be eternally depulsed and utterly distroyed thann to reconsole hem in eny wyse.'

<sup>3</sup>Scofield, i. 41-2, 59, 61, 64-6.

<sup>4</sup>*An English Chronicle*, pp. 89-90.

<sup>5</sup>*Ibid.*, p. 95.

<sup>6</sup>After the battle of Northampton, Henry had been treated with every mark of respect, installed in the bishop of London's palace (a recognized royal residence) and had taken part in thanksgiving ceremonies in Canterbury Cathedral which lasted for several days. Scofield, i. 91, 95.

<sup>7</sup>*Ibid.*, p. 101.

deliberately so as to avoid meeting any of his friends before confronting parliament<sup>1</sup> which had been summoned for early October. Various signs on the road to London showed that, although the Nevilles had won his victory for him, York intended to use it in a manner of which he knew they could not approve and which would involve them in perjury. When he reached Abingdon the duke sent for trumpeters and clariners, gave them banners with the royal arms of England, ordered his sword to be borne upright before him—the style appropriate only for a king—and rode on towards London.<sup>2</sup>

Parliament had assembled on 7 October. On the 10th York reached London. He stayed there just long enough for a formal reception by the mayor and aldermen, then at once rode on to Westminster with five hundred armed men behind him, with trumpets and clarions sounding, the sword still borne upright before him.<sup>3</sup> With this show of force and majesty he came to Westminster. Passing through Westminster Hall he strode into the parliament chamber, where the lords were in session, and laid his hand on the cushion of the empty throne as if to claim it as his by right. The expected acclamation never came. York had miscalculated badly. The lords received his demonstration in stony silence.<sup>4</sup> Even the pro-Yorkist Abbot Whethamstede admitted that all sorts and conditions of people began to murmur against York at this time.<sup>5</sup> The Burgundian chronicler, Waurin, relates that angry words ('grosses parolles') passed between Warwick and the duke when he heard of York's intentions and that even the earl of March tried to persuade his father to abandon his outrageous plans.<sup>6</sup> If we could accept this story York's duplicity would be proved beyond doubt. As it is, Waurin's narrative of the events after the battle of Northampton contains so many impossible statements<sup>7</sup> that we can say only that circumstantial evidence from English sources makes this last story at least probable. Until his return from Ireland York had never openly<sup>8</sup> suggested that Henry VI should be deprived of the crown.

<sup>1</sup>Waurin states that Warwick met him at Shrewsbury but no other source mentions this. Although Waurin's narrative at this point is somewhat ambiguous, his text seems to mean that Warwick heard of York's plans only later, in London. See below, notes 6 and 7.

<sup>2</sup>'Gregory's Chronicle', in *The Historical Collections of a Citizen of London*, ed. J. Gairdner (Camden Soc., new ser., 1876), p. 208.

<sup>3</sup>Scofield, i. 103.

<sup>4</sup>*Ibid.*, p. 104.

<sup>5</sup>*Registrum Abbatias Johannis Whethamstede*, in *Registra . . . monasterii S. Albani*, ed. H. T. Riley (Rolls Ser., 1872-3), i. 377-8.

<sup>6</sup>J. de Waurin, *Recueil des Croniques et Anchiennes Istories de la Grant Bretaigne*, ed. W. Hardy (Rolls Ser., 1864-91), v. 314-15.

<sup>7</sup>*Ibid.*, pp. 299-318, in particular York's fantastic itinerary after his return from Ireland.

<sup>8</sup>For possible plots amongst some of York's friends ten years earlier see Lander, *Bull. John Rylands Lib.*, xliii. 68 and n. 5; J. S. Roakell, 'Sir William Oldhall, Speaker in the parliament of 1450-1', *Nottingham Medieval Studies*, v (1961), 100-8.

On balance it seems that he quite deliberately laid his plans alone: plans which he concealed from even his closest supporters because he knew that they were unlikely to co-operate in them.

It seems fair to ask the question 'How many of York's adherents amongst the peers would have supported him had they known of his intention to claim the crown?' If the attitude of the lords in parliament is any guide we can hardly be in doubt about the answer.<sup>1</sup>

The next key point to consider is the meeting at Baynard's Castle on 3 March 1461 when a 'council' chose York's son, the earl of March, as king. At the end of October 1460, parliament had reluctantly approved the Act of Accord which recognized York as protector of the realm for the third time and as heir to the throne on Henry VI's death.<sup>2</sup> Margaret of Anjou had refused to accept this arrangement which ignored completely the rights of her son, Edward, prince of Wales, and she had raised an army. York had been slain at the battle of Wakefield through his own impetuous folly in refusing to wait for his scattered troops to reassemble before beginning to fight. Salisbury had been executed after the battle and Warwick had been defeated at the second battle of St. Albans. Although the earl of March had won a victory in the west at Mortimer's Cross there was still a formidable Lancastrian army in the field which was defeated only several weeks later in the desperately fought battle of Towton. It was of these ominous circumstances that the pseudo-William Worcester wrote:

Tertio die Martii archiepiscopus Cantuarie, episcopi Sarum (Bechaump), et Exoniae (scilicet, ille reverendus Georgius Nevyl), ac Johannes dux Norfolchie, Ricardus comes Warwici, dominus Fethwater, Willelmus Herbert, dominus de Freers de Charteley, et *multi alii*,<sup>3</sup> tenuerunt concilium apud Baynarde Castylle, ubi concordarunt et concluserunt, Edwardum ipsum, duces Eboraci, fore tunc regem Anglie.<sup>4</sup>

A meagre list indeed to make a king! An archbishop who was the brother of the new king's uncle by marriage, two bishops, one of whom was

<sup>1</sup>The reluctance of the Lords to support York is remarkable as many of Henry VI's staunchest supporters were absent. Two Lancastrian lords, the earl of Wiltshire and Lord Ryvers, did not receive writs of summons. The duke of Buckingham, the earl of Shrewsbury and Lord Egremond had been killed at Northampton and Lord Scales in London, the first two leaving minor heirs, the last two no male heirs. Viscount Beaumont was also killed at Northampton. His heir may not have been sent a writ as he did not prove his age until Sept. 1460. According to the pseudo-William Worcester (Stevenson, II. ii. 774) the dukes of Exeter and Somerset, the earls of Northumberland and Devonshire and many of the northern lords did not attend.

<sup>2</sup>*Rot. Parl.*, v. 378-80.

<sup>3</sup>My italics.

<sup>4</sup>Stevenson, II. ii. 777. For the dating of the events of 26 Feb. to 4 March see C. A. J. Armstrong, 'The inauguration ceremonies of the Yorkist kings and their title to the throne', *Trans. Roy. Hist. Soc.*, xxx (1948), 55-6. Edward had been acclaimed as king by an assembly in St. John's Fields on 1 March but Mr. Armstrong considers that 'in so far as Edward was elected king the substantive election took place in the council chamber and not in St. John's Fields'.

Warwick's brother, Warwick himself, one duke, cousin to both the king and Warwick, and two 'barons' of dubious status, both holding such titles as they had as the husbands of old peerage heiresses. John Radclyffe, generally known as Lord FitzWater, had never been summoned to parliament and shortly before this he had been referred to in the *Paston Letters* as 'Lord FitzWater alias Master Radclyff'.<sup>1</sup> Walter Devereux, Lord Ferrers of Chartley, received a writ of summons for the first time later in the year.<sup>2</sup> So did William Herbert whose name (without the title 'dominus') appears somewhat suspiciously between the names of two dubious lords. Moreover, who were the 'multi alii'? The attempted deception is utterly naïve. It is incredible that the writer who, on the following page, gives the names, down to those of petty squires, of one hundred and eight men who were attainted later in the year,<sup>3</sup> would not have known the names of other lords had any been present at so vital a meeting.

Edward IV was made king by a faction. Though it would be unwise to stress the point unduly, the actual decision was taken by a fragment of a faction. As Francesco Coppini remarked six weeks later, when he wrote to Francesco Sforza, 'in the end my lord of Warwick has come off the best and has made a new king of the son of the duke of York.'<sup>4</sup> Most of the peers who supported Edward (whether they had been present at Baynard's Castle or not) had resisted his father's ambitions for the crown. They had become active supporters of the house of York very late in the day and those few of them who were in London at the beginning of March 1461 made Edward king because there seemed to be no other way out of a desperate political situation; no other way of cutting free from the disasters into which his father's ambitions had led them. Edward had become king by naked force. Warwick had made him king—probably unwillingly as a result of the chain of circumstances which had led from the duke of York's deceptions—and as an experienced man of thirty-three he would expect to dominate his nineteen-year-old cousin.

We must now turn from the Nevilles to the Wydevilles. In 1464 at the time of his marriage with Elizabeth Wydeville, Edward IV was twenty-two—a man so vigorous and handsome that he seemed to have been made for the pleasures of the flesh.<sup>5</sup> He may have achieved already (though the

<sup>1</sup>*Paston Letters*, i. 512; *C.P.*, v. 484-5. The barony does not seem to have been a rich one and most of the estates were in the hands of the dowager until 1464. Pugh and Ross, *ante*, xxvi. 19. Radclyffe's son John was summoned from 1485 onwards.

<sup>2</sup>*C.P.*, v. 322-3. He did not receive his writ until 26 July, more than two months after the parliament was first summoned. *History of Parliament, Register, 1439-1509*, ed. J. C. Wedgwood, p. 300 and n. 3. Wedgwood (p. 193) states that he was present at the last session of the parliament of 1453-4, but the document which he quotes in support of this (*Proceedings and Ordinances of the Privy Council*, ed. Sir H. Nicolas (1834-7), vi. 175-7) proves the opposite.

<sup>3</sup>Including some who were not, in fact, attainted. Stevenson, II. ii. 778-9; Lander, *Hist. Jour.*, iv. 124, n. 28.

<sup>4</sup>*Cal. State Papers Milan*, ed. A. B. Hinds, i (1912), p. 69.

<sup>5</sup>P. de Commynes, *Mémoires*, ed. J. Calmette et G. Durville (1924-5), i. 203.

matter is doubtful) that reputation for lechery<sup>1</sup> which has, more than anything else, in modern times, diverted attention from his political successes. He married into a family which twice in as many generations profited more through marriage than they had any right to expect. Elizabeth's mother, Jacquetta of Luxembourg, was the daughter of Pierre, count of St. Pol, one of the most powerful magnates of France not of the blood royal.<sup>2</sup> His eldest brother, John, had been amongst the most important of Henry V's allies in France. Her uncle, the bishop of Thérouanne had, in 1433, arranged her first marriage with Henry's brother, John, duke of Bedford, in a futile attempt to bolster up the failing Anglo-Burgundian alliance. Jacquetta was then seventeen years old. Her brief married life was probably far from satisfying to a young woman of her apparently ardent and vigorous blood. Bedford, though only forty-six, died just over two years later, prematurely worn out by the sisyphian labours of defending the English conquests in France and holding in check the warring factions at home. Within eighteen months of her husband's death the impetuous young widow secretly married a mere knight, one of the handsomest men in England, her chamberlain's son, Sir Richard Wydeville, despite the fact that she had been given possession of her dower only on condition that she did not remarry without the king's consent. Their temerity cost the infatuated young couple the enormous fine of £1,000, which Cardinal Beaufort, the arch-usurer of his day, characteristically raised for them in return for the duchess's life interest in various manors in Somerset, Dorset and Wiltshire.

Sir Richard Wydeville was one of the most successful of the young men who had prospered at the Lancastrian court. His father, so far as we can see, had been in no way superior to the usual run of 'gentlemen bureaucrats' who entered the service of the nobility. The son possessed something of that compelling physical charm which so often accompanies great personal beauty and athletic prowess. Early introduced to the court circle, he had been one of the group of distinguished young men, headed by Richard of York, whom the child king, Henry VI, had knighted at Leicester on Whit Sunday, 1426. He had taken his part in the French campaigns. He and his duchess had been amongst the brilliant party which had escorted Margaret of Anjou to England for her marriage. Created Lord Ryvers in 1449, he, and his son Anthony, loyally stood by Henry VI until 1461. They were probably with Queen Margaret on her retreat northwards after the second battle of St. Albans. Only after her defeat at Towton, thinking her cause then hopeless, did they go over to the Yorkists.<sup>3</sup> Edward treated them generously, and whatever regret for the past they

<sup>1</sup>'Gregory's Chronicle', p. 226; 'Fragment of an old English chronicle of the affairs of King Edward IV', in T. Sprott, *Chronica*, ed. T. Hearne (Oxford, 1719), pp. 292-3 (hereafter referred to as 'Hearne's Fragment').

<sup>2</sup>For what follows see *The Coronation of Elizabeth Wydeville*, ed. G. Smith (1935), pp. 41-5.

<sup>3</sup>*Ibid.*, pp. 45-50.

may have had, they remained consistently loyal—unlike some other ex-Lancastrians whom the king took into his confidence. Their loyalty paid. Lord Ryvers was already a royal councillor well over a year before his daughter became queen.<sup>1</sup> Though, at this time, Elizabeth's family was considerably less influential than many others, her marriage did not begin its advancement at the Yorkist court. It had already begun without her help.

Elizabeth Wydeville's story soon became notorious abroad; notorious enough for it to be included, within four years of her marriage, in an Italian poem *De Mulieribus Admirandis* by Antonio Cornazzano, dedicated to Bianca Maria Visconti, the wife of Francesco Sforza.<sup>2</sup> It was said, then and later, that thinking herself too base to be the king's wife but too good to be his harlot,<sup>3</sup> she was one of the few women who ever denied Edward Plantagenet her bed. Cornazzano made her defend herself with a dagger.<sup>4</sup> Dominic Mancini, writing nearly twenty years later, gave another version—she still refused him even when he 'placed a dagger at her throat'.<sup>5</sup> These stories may give a melodramatic colouring to rather sordid facts: facts, typically enough for the times, concerned with a family squabble over property. When, in 1461, Elizabeth was left a widow with two small sons, Thomas and Richard, she found her interests threatened not by the king, as might have been expected, but by her former husband's relations. Although her husband, Sir John Grey, had been mortally wounded fighting for Henry VI at the second battle of St. Albans, he had not been attainted, nor, so far as we know, had his lands been forfeited. His widow found it necessary to protect her jointure, and what she considered to be the legitimate interests of her two sons, against the rapacity of her mother-in-law, Elizabeth, Lady Ferrers.<sup>6</sup>

Some time between 1458 and May 1462,<sup>7</sup> Lady Ferrers took as her second husband Sir John Bouchier, one of the younger sons of Edward's aunt, Isabella Plantagenet, and Henry, formerly Viscount Bouchier, since

<sup>1</sup>Lander, 'Council, administration and councillors, 1461 to 1485', *ante*, xxxii (1959), 157, 167. There is no evidence to support the conjecture (Scofield, i. 177-8) that Elizabeth may have been partly responsible for obtaining their pardons in 1461.

<sup>2</sup>C. Fahy, 'The marriage of Edward IV and Elizabeth Woodville: a new Italian source', *Eng. Hist. Rev.*, lxxvi (1961), 660-3. It is significant, perhaps, of the stir the marriage caused that Elizabeth's story was one of the only two chapters devoted to contemporary women out of a total of twenty-eight. The poem cannot be taken as reliable evidence, however, for it contains numerous inaccuracies. As Mr. Fahy points out (p. 663), 'It is essentially a pleasant tale, not an historian's or chronicler's version'.

<sup>3</sup>*Ibid.*, pp. 665, 671-2; Sir Thomas More, 'The History of King Richard the Third' in *The English Works of Sir Thomas More*, ed. W. E. Campbell, i (1931), p. 435.

<sup>4</sup>Fahy, *Eng. Hist. Rev.*, lxxvi. 671.

<sup>5</sup>C. A. J. Armstrong, *The Usurpation of King Richard III* (1936), pp. 74-5.

<sup>6</sup>For the dispute with Lady Ferrers see *Coronation of Elizabeth Wydeville*, pp. 28-32.

<sup>7</sup>*C.P.*, v. 359-60.



1461 earl of Essex, and one of the king's most prominent councillors. Even-handed justice being unlikely in such circumstances, Lady Grey found it essential to 'get lordship', as the contemporary phrase went, if she were to combat, with any hope of success, the powerful influences which her mother-in-law could marshal against her at court. The matter of her jointure seems to have been satisfactorily settled by petitions to the chancellor, possibly with the help of her powerful Leicestershire neighbour, Lord Hastings. At all events she turned to Hastings in the second stage of her struggle for property rights. Less than three weeks before her secret marriage with the king on 1 May 1464 Lady Grey and Lord Hastings signed a very interesting indenture.<sup>1</sup> The agreement provided for the marriage of her son Thomas (or, in the event of his death, that of his younger brother, Richard) to the eldest daughter of Lord Hastings to be born within the next five or six years, with provision for a marriage to a daughter of his brother, Ralph, or his sister, Anne, if no daughter was born to him. If any manors or possessions which had once belonged to Sir William Astley,<sup>2</sup> or any of the inheritance of Lady Ferrers, could be recovered for the two boys, the rents and profits were to be divided equally between Hastings and Lady Grey until Thomas was twelve years old or until Richard reached the same age if Thomas should die. Hastings agreed to pay 500 marks for the marriage. If Thomas and Richard died before it took place or if there was no female issue in his own family, Hastings himself was to receive 500 marks.

Lord Ryvers and Lord Scales, Elizabeth's father and brother, were doing well at court themselves. Yet at the time of Elizabeth's greatest need her father and brother may well have felt that they were not yet influential enough to intervene effectively for her against a determined group of the king's nearest relations. There was no advocate more obviously suitable than Hastings. He was the king's chamberlain, his most intimate friend, and he had quite recently married the earl of Warwick's sister, Catherine.<sup>3</sup> Hastings' price was high and the hard bargain which he drove with Lady Grey at this time may well have been the origin of the dislike she felt for him in later years—though her dislike never prevented her from engaging in business relations with him when she found it profitable. Knowing the way in which, in season and out of season, men importuned the king on affairs of this kind, it is inconceivable that either the Wydevilles or the Bouchiers had not 'laboured' Edward on these particular matters. That he allowed Hastings to complete the bargain just before his marriage shows how anxious the king must have been to keep his intentions secret.<sup>4</sup>

<sup>1</sup>Hist. MSS. Comm., *Rawdon Hastings MSS.* (1928-47), i. 301-2.

<sup>2</sup>Sir William Astley of Astley, Warwickshire, was the great-grandfather of Elizabeth's husband, Sir John Grey. *C.P.*, v. 358-9.

<sup>3</sup>The marriage took place some time before 6 Feb. 1462. *Ibid.*, vi. 373.

<sup>4</sup>His anxiety was due at least as much to diplomatic as to domestic reasons. Scofield, i. 344-56.

When it was announced in the Great Council at Reading in September 1464, foreign observers reported astonishment and hostility as the immediate reactions to Edward's eccentric union.<sup>1</sup> Unfortunately no immediate English comment which has survived is above suspicion. With one, or possibly two, exceptions,<sup>2</sup> English comments on the marriage were all, so far as we can see, written down, at the very earliest, several years later, when their writers sought an explanation for subsequent events. We are, therefore, quite unable to gauge the extent of the hostility expressed in 1464. That their initial disapproval of the king's marriage was great enough to alienate permanently any section of the nobility, or even Warwick himself, may be doubted.<sup>3</sup>

<sup>1</sup>Foreign opinions written down immediately (in letters of varying degrees of inaccuracy) all stress the unpopularity of the marriage. *Cal. State Papers Milan*, i. 113, 114; *Dépêches des ambassadeurs milanais en France sous Louis XI et François Sforza*, ed. B de Mandrot (1916-23), ii. 276, 292.

<sup>2</sup>(a) Lord Wenlock wrote to Lannoy from Reading on 3 Oct. stating that it had caused 'great displeasure to many great lords, and especially to the larger part of all his council'. See Scofield, i. 354 and n. 3. It should not be forgotten, however, that this letter was written for diplomatic consumption by one of Warwick's protégés.

(b) In the Howard household books there is a draft of a letter as follows—'. . . also my lord I have bene in dyverse plases wethen Norfolke Soffolke and Heæx, [hand] and have ad komenykasyon of thes marygge, to fel howe the pepel of the konteryes wer desposed, and in good feythe they ar desposed in the beste wysse and glade ther of; also I have ben wethe many dyverse astates to fel theyer hertes, and [in good feythe] *I fowende theme al ryte voele desposed, safe on, the wesche I schal henforme zower good lordesche at my nexte komhenge to zowe. . .*'. *Manners and Household Expenses of England in the Thirteenth and Fifteenth Centuries*, ed. T. H. Turner (Roxburghe Club, 1841), pp. 196-7 (my italics). Unfortunately the draft is unaddressed and undated. The editor conjectures that it refers to the royal marriage and less happily perhaps that it was written to Lord Ryvers. The phrasing of the letter makes it at least plausible that the reference is to the king's marriage, otherwise why the phrase about 'many dyverse astates'? If it could be accepted it would give a very different view of contemporary public opinion from that normally held.

<sup>3</sup>The English chroniclers who write nearest to these events and deal with them at all fully differ in their interpretations. The First Anonymous Croyland Continuator (c. 1470-85), a very pro-Neville author, states that the marriage was unpopular with the nobility and the chief men of the kingdom and alleges that Warwick broke with the king c. 1469 because he admitted all the queen's relations to his favour, promoted them to all the most dignified offices and 'fratres quoque suos et cognatos Regio de sanguine progenitos, et ipsum Comitem Warwici Richardum, cum ceteris sibi fidelibus Regni Proceribus, a sua presentia profligavit'. 'Historiæ Croylandensis Continuatio' in *Rerum Anglicarum Scriptorum Veterum tom. I*, ed. W. Fulman (Oxford, 1684), p. 542 (hereafter referred to as Fulman). These remarks about the nobility are wildly exaggerated and record sources show that the Wydevilles were less enriched than is usually supposed (see below, pp. 137-42).

The Second Anonymous Croyland Continuator (reputedly one of Edward's councillors), writing in April 1486, claiming to correct the errors of his ill-informed predecessor (Fulman, p. 549), denies that the marriage was responsible for any break. He claims that although there had been some murmurings on Warwick's

The new queen's family could hardly avoid attracting comment. As George Eliot once remarked, 'that objectionable species, wife's kin' are generally regarded with resentful and suspicious eyes. In a court so much the centre of patronage and profit that it can be regarded almost as the Stock Exchange of the day, any advantages which the Wydeville family reaped from their new connexion would, to an unusual degree, attract resentful and jealous comment, particularly amongst those accustomed to competing successfully in the speculative market of royal patronage. The customary tale of upstarts speedily enriching themselves, however, needs to be modified. Quite apart from the high birth of Jacquetta of Luxembourg, the social status of the Wydevilles and the Greys was not as lowly as many historians have assumed. The Wydevilles were a decent county family with estates in Northamptonshire, Bedfordshire, Buckinghamshire, Rutland and Kent. They had filled local offices and had occasionally provided knights of the shire since the mid-fourteenth century.<sup>1</sup> Lord Ryvers' father had been seneschal of Normandy under Henry V.<sup>2</sup> Since 1450 the family had begun to marry into the peerage.<sup>3</sup> The Greys of Groby were related to the Greys of Ruthyn and by marriage to the Bouchiers, the Mowbrays and the Berkeleys.<sup>4</sup> By 1461 they might well be accounted at least the equals of some of the lordlings who made Edward IV king or of William Hastings who was made a baron the same year, cashed in on the Yorkist revolution on a grand scale and less than a year later married one of Warwick's sisters.<sup>5</sup> From 1464 onwards the Wyde-

part, the marriage was solemnly sanctioned and approved of at Reading by Warwick himself and all the great lords and prelates of the kingdom. He adds that Warwick 'Perduravitque favor Comitum in omnem ipsius Reginae parentelam, quoadusque ipsius Reginae cognati et affines istud aliud matrimonium, quod inter Carolum et Margaretam actum est pro voto Regis, amico Comite, sicut et multa alia consilia fieri procurabat' [sic]. (*Ibid.*, p. 551.) So the king's pro-Burgundian policy was the real cause of the break according to this writer. Although the Second Anonymous Continuator takes an obviously defensive line, his account is, in general, so superior that his testimony is more acceptable than that of the First Continuator.

Warkworth (c. 1473-98), whose narrative is compressed to the point of confusion and inaccuracy, states (J. Warkworth, *A Chronicle of the First Thirteen Years of the Reign of King Edward the Fourth*, ed. J. O. Halliwell (Camden Soc., 1839), p. 3) 'after that [i.e. the king's marriage] rose grete discencyone evere more and more betwene the Kyng and hym, for that and other, etc.' He adds (p. 4) that they 'were acorded diverse tymes: but thei nevere loffyd togedere aftere'. R. Fabyan (c. 1490-1512), *The New Chronicles of England and France*, ed. H. Ellis (1811), p. 654, merely mentions the marriage and rumours of sorcery. *The Great Chronicle of London*, ed. A. H. Thomas and I. D. Thornley (1938), pp. 202-3, states that the marriage caused 'mawch unkeyyndnes' between the king and Warwick and the advancement of the Wydevilles 'kyndelid the sparkyll of envy, whych by contynuaunce grewe to soo grete a blase. . .'. Polydore Vergil is very uncertain as to the causes of the break between Edward and Warwick. *Three Books of Polydore Vergil's English History*, ed. Sir H. Ellis (Camden Soc., 1844), pp. 117-18.

<sup>1</sup>C.P., xi. 15-19.

<sup>2</sup>Jacob, p. 190.

<sup>3</sup>See p. 135, n. 1.

<sup>4</sup>J. Smyth, *The Lives of the Berkeleys*, ed. Sir J. Maclean (1883-5), ii: 80; C.P., v. 357-8.

<sup>5</sup>For Hastings see p. 143, n. 7.

villes profited in two ways—by advantageous marriages and, to a much smaller extent, from royal grants. By the middle of 1467 they had arranged and completed a series of seven marriages, all with members of noble families—the families of Buckingham, Exeter, Norfolk, Arundel, Essex, Grey of Ruthyn and Herbert.<sup>1</sup> Some of these marriages deeply offended particular people, yet once again, it seems to be doubtful whether the general advancement of the queen's family, too rapid and too great for discretion though it was, raised any opposition widespread and bitter enough to create a tense political situation.

Modern opinion on these marriages seems to be based almost entirely on a rather careless interpretation of the pseudo-William Worcester's *Annales*. Even on his evidence the marriages may be divided into two groups. Three of the seven the author merely notes without comment; four he notes with varying shades of disapproval.<sup>2</sup>

The earliest of the marriages in the latter group affected the interests

<sup>1</sup>For a list of the marriages see D. MacGibbon, *Elizabeth Wydeville* (1938), pp. 223-5. There are generally said to have been eight marriages but the queen's sister, Jacquetta, had been married to Lord Strange of Knockyn c. 1450. *C.P.*, XII. i. 356. It is fair to point out that at least three of these marriages, possibly more, were child marriages. Buckingham, William Herbert and Thomas Grey were children, so possibly were Catherine, Joan and Mary Wydeville.

<sup>2</sup>Mr. K. B. McFarlane has shown that William Worcester was not the author of the 'various scraps of chronicles' which Thomas Hearne fabricated into the *Annales* from a number of separate items in a miscellaneous collection entered into Arundel MS. 48 in the College of Arms after it had left Worcester's possession. See 'William Worcester: A Preliminary Survey', in *Studies Presented to Sir Hilary Jenkinson*, ed. J. Conway Davies (1957), pp. 206-7. Whoever he may have been, the author of this section of the manuscript was a very pro-Neville writer. It has been overlooked that he does not condemn all the marriages. They fall into two distinct groups. A. (1) Margaret Wydeville to Lord Maltravers, Warwick's nephew (see p. 122, n. 2), (2) Anne Wydeville to William Bourchier, son of the earl of Essex and (3) Eleanor Wydeville to Anthony Grey of Ruthyn (son of the earl of Kent). Worcester merely notes these without comment. B. A group which Worcester condemns: (1) Sir John Wydeville to Catherine, dowager duchess of Norfolk—'maritagium diabolicum', (2) Catherine Wydeville and the duke of Buckingham—'ad secretam displicentiam comitis Warrwici', (3) Sir Thomas Grey and Anne, daughter of the duke of Exeter,—'ad magnam secretam displicentiam comitis Warrwici' and (4) Mary Wydeville to William Herbert. Here there is no comment on the marriage itself but then 'Fecitque dominus rex dictum haeredem Herberd militem, ac creavit eum dominum de Dunstarre, ad secretam displicentiam comitis Warrwici ac magnatum terrae'. Stevenson, II. ii. 783, 785, 786.

It is worth noting that Group A, on which no comment was made, affected Warwick's own nephew and two other families whose heads were prominent and politically active at the Yorkist court. Worcester's indignation is reserved for Group B in which three out of four marriages adversely affected Warwick and his relations. Even here Warwick's displeasure is said to be shared by other magnates only in the matter of William Herbert's assumption of the title of Lord Dunster. I have found no particular reason why Warwick should have been offended at Buckingham's marriage.

Neither Gregory, Warkworth, Fabyan nor Polydore Vergil refers to the Wydeville marriages. See also p. 133, n. 3.

of Warwick's second cousin, the young duke of Norfolk. In January 1465 Sir John Wydeville married Catherine Neville, aunt to both Warwick and the king, and the senior of the two dowager duchesses of Norfolk. Worcester called it a 'maritagium diabolicum' for the bridegroom was a young man of twenty and the bride, so Worcester alleged, was a slip of a girl ('juvencula') of about eighty.<sup>1</sup> He libelled the lady: she could not, in fact, have been more than sixty-five or sixty-six. Worcester's indignation was, perhaps, excessive, for marriages of youth and age were by no means uncommon at the time. Sixty years later a statesman as busy, and as worldly, as Thomas Cromwell thought of introducing legislation to prevent young men marrying aged widows.<sup>2</sup> The Duchess Catherine's marriage was unusual only for what the Norfolk family must have regarded as its nightmarish quality. The wretched old woman was a true daughter of Joan Beaufort. Married to the duke of Norfolk in 1412 at the age of fifteen or less, she was left a widow in 1432. For thirty long years she had held in jointure a very considerable proportion of the family estates—probably far more than her grandson was holding in 1465.<sup>3</sup> With these expensive feathers plucked from the Mowbray wings she had flown to the joys of a second nuptial bed, then a third<sup>4</sup> and now, in her old age, proposed to enrich a fourth. This fourth marriage seems to have implied some danger to the family property. It was not always an easy matter for a family to regain possession of jointure lands. With such powerful connexions it might well prove difficult to induce Sir John Wydeville to disgorge his wife's estates after her death.<sup>5</sup> None knew such economic facts of life

<sup>1</sup>See p. 135 n.2.

<sup>2</sup>J. Hurstfield, *The Queen's Wards* (1958), p. 331.

<sup>3</sup>Excessive jointures seem to have been common enough for the Lords to wish for some kind of safeguard against them. See *The Fans Fragment of the 1461 Lords' Journal*, ed. W. H. Dunham, Jr. (New Haven, 1935), p. 9. The Norfolk case was exceptionally blatant. It has been estimated that the greater part of the family estates were in the hands of the dowager and so never descended to her son John Mowbray, 3rd duke of Norfolk, who predeceased her in 1461. Pugh and Ross, *ants*, xxvi. 9. Nor did they descend to her grandson, the fourth duke, who was also burdened with a second dowager, his own mother. It was only in 1478 when the king arranged to marry the child heiress, Anne, to his son, Richard, that these outrageous settlements were, under royal pressure, broken. *Rot. Parl.*, vi. 169-70.

<sup>4</sup>She married a squire, Thomas Strangeways, and then Viscount Beaumont.

<sup>5</sup>The dowager duchess married Sir John in Jan. 1465. On 25 March her grandson received livery of his lands. *Cal. Pat. Rolls 1461-7*, p. 477. It may or may not be significant that the patent covered not only the estates which came to him direct from his father, but also permission to enter on the deaths of the dowagers, Catherine and Eleanor, into any possessions which they held in dower or for life; an apparently unusual proviso. Cf. the patent to William Herbert II in 1471 when a dowager was still alive. *Cal. Pat. Rolls 1467-77*, p. 275.

Catherine seems to have been as capable as other Nevilles of conveying property away from common law heirs. She secured the reversion of some of the lands of her third husband, Viscount Beaumont, to her daughter, Joan, and on Joan's second marriage to Lord Berkeley in 1468 dowered her with some of the Mowbray lands of her own jointure. Although described in *Cal. Pat. Rolls 1461-7*, p. 179, *Cal. Pat. Rolls 1467-77*, p. 107, as 'sister' of John, duke of Norfolk,

better than Warwick for the elder branch of the Neville family regarded the castles of Middleham and Sheriff Hutton and the estates surrounding them, some of his most cherished possessions, as illegally conveyed to his father and to him through the influence of his grandmother, Joan Beaufort.<sup>1</sup> Although positive proof is lacking, it may well have seemed advisable to Warwick, if he wished for the future support of a powerful nobleman and relation, to uphold, either openly or secretly, his young relation's grievances in such a matter.

The following year, Warwick had reason, on his own account, to resent two other marriage arrangements. Edward IV in 1461 had given the Herberts the lordship of Dunster which the earl claimed for himself, and in September 1466, when William Herbert the younger was betrothed to Mary Wydeville, he was permitted to assume the title of Lord Dunster.<sup>2</sup> The next month Warwick took another blow. The queen's eldest son, Thomas Grey, married Anne Holland, the heiress of the duchy of Exeter. The queen paid her sister-in-law, the duchess (Edward's sister, Anne), 4,000 marks for the marriage. This bargain between the king's wife and the king's sister, made presumably with the king's approval, was insulting in the extreme, for Anne Holland was already betrothed to Warwick's nephew, George, Lord Montagu's son.<sup>3</sup>

It has been alleged, somewhat inconsistently, that the blindly enamoured king allowed the Wydevilles unbridled licence to indulge their ambitions in this way, and that, on the other hand, he married them off as part of a considered policy of building up a new nobility as a counterpoise to the old.<sup>4</sup> Two such different states of mind may have been compatible but it seems unlikely. The truth was probably much less dramatic. Edward, at this time, was ready to rely on almost anyone who was prepared to serve him. His position was far too precarious to allow him to think in terms of putting down any of the nobility,<sup>5</sup> new or old. It would have been difficult, if not impossible for the king, unsupported as he was by a

Smyth, ii. 143-6 and *C.P.*, ii. 134, make her the daughter of Catherine's second husband, Thomas Strangeways.

<sup>1</sup>Pugh and Ross, *ante*, xxvi. 7-8; J. S. Roskell, 'Sir James Strangeways of West Harsley and Whorlton', *Yorks. Archaeol. Journal*, xxxix (1956-8), 461; R. L. Storey, *Thomas Langley and the Bishopric of Durham, 1406-37* (1961), pp. 107-8; Jacob, pp. 320-3. The cases are not exactly parallel as these alienations were made with Earl Ralph I's connivance. However, wrongful seizure and retention of estates by powerful people under cover of legal chicanery and often backed by court influence were very common. E.g. see J. M. W. Bean, *The Estates of the Percy Family, 1416-1537* (1958), pp. 112-25.

<sup>2</sup>See p. 135, n. 2. *C.P.*, vi. 444-5, points out, however, that there is no record of any creation of this barony.

<sup>3</sup>Stevenson, ii. ii. 786. Anne of Exeter's betrothal to Montagu's son is, itself, a good example of the business morals of the Nevilles. Her father had been bitterly opposed to them all through the 1450s but after 1461, when he was in exile, they thus arranged for his inheritance to pass to them.

<sup>4</sup>See p. 120, n. 1.

<sup>5</sup>See Lander, *Hist. Jour.*, iv. 125 ff.

considerable section of the higher aristocracy,<sup>1</sup> to work without the co-operation of the nobility in general. In fact it is unnecessarily crude to reconstruct Yorkist politics in such exclusive terms. After all, at the same time as the Wydeville marriages were being arranged Edward continued to build up the power and properties of the Nevilles.<sup>2</sup> Wishing to avoid excessive dependence on any one group he may well have encouraged the development of diverse factions: a very different thing from building up a new royal party.<sup>3</sup>

At most Edward may have hoped to strengthen his ties with men already ennobled—some for a long time, some since his own accession. Lord Herbert and Lord Grey of Ruthyn already counted amongst the king's supporters, Lord Herbert amongst the staunchest, and Lord Grey of Ruthyn was cousin-german to the queen's first husband. The king had already made Herbert a baron and relied upon him greatly in the government of Wales. Herbert's influence certainly increased after his son's marriage to the queen's sister, though his power was due more probably to his ability and his services than to the new relationship. After the father's death the king seems never to have trusted the son.<sup>4</sup> Lord Grey of Ruthyn had deserted Henry VI for York at the battle of Northampton (1460) and he had been made earl of Kent before his son's marriage with Joan Wydeville.<sup>5</sup> There was nothing either more or less scandalous in the creation or the marriage than there had been in the elevation of Warwick's uncle, Lord Fauconberg, to the same title in 1461.<sup>6</sup> The earl

<sup>1</sup>There were only 8 dukes and earls in the parliament of 1461-2 and 7 in 1463-5 as compared with 15 in 1455-6 and 13 in 1460-1. *History of Parliament, Register*, p. lxiv.

<sup>2</sup>See below, pp. 143-4.

<sup>3</sup>The manifesto (see notes to Warkworth, pp. 46-51) issued by Clarence, Warwick and the archbishop of York in 1469, though sometimes quoted for the purpose, can hardly be made to support this theory. It refers to 'the disceyvabille covetous rule and gydyng' of Lord Ryvers and his wife, William Herbert, Humphrey Stafford of Southwick, Lord Scales, Lord Audley, Sir John Wydeville and his brothers and Sir John Fogge. Although they drew attention to the fate of Edward II and Richard II, the accusations are mostly concerned with administrative corruption etc. reminiscent of those thrown out by York and his friends against the Lancastrian court a decade before. Neither Warkworth, Dominic Mancini, Fabyan, the Great Chronicle of London nor Sir Thomas More refers to any attempt to exclude Warwick or anybody else or to build up a counterpoise. Apart from the reference in the First Anonymous Croyland Continuator the story is found for the first time in Polydore Vergil who in an imaginary speech makes Warwick say c. 1467, 'who [i.e. Edward] resolutely maketh more honorable account of new upstart gentlemen than of the ancyeut howses of nobyltye; wherfor ether must the nobyltye destroy him, or els he wyll destroy them'. A speech which also, significantly enough, refers to the probability of greater gains from Henry VI and his son. *Three Books of Polydore Vergil's English History*, p. 119. Polydore himself, however, never attributed to Edward the intention of deliberately destroying the older nobility or of setting up others as a counterpoise to them.

<sup>4</sup>Lander, *arts*, xxxii. 154 and n. 6, 160 and n. 5.

<sup>5</sup>On 30 May 1465. *C.P.*, vii. 164-5.

<sup>6</sup>*Ibid.*, p. 163. Fauconberg died 9 Jan. 1463.

of Essex's family, the Bouchiers, were already connected with both the king and the Greys of Groby.<sup>1</sup> So much for the active politicians. Three other marriages, that of Margaret Wydeville to Warwick's nephew, Lord Maltravers, the eldest son of the earl of Arundel,<sup>2</sup> that of Thomas Grey to Anne Holland,<sup>3</sup> and that of Catherine Wydeville to the duke of Buckingham had no political effect during Edward's reign.<sup>4</sup> The political results as well as the intent of these marriages seem to have been grossly exaggerated. The Second Anonymous Croyland Continuator states that after Edward's own marriage Warwick continued to show favour to the queen's kindred until they quarrelled on matters of foreign policy.<sup>5</sup> Moreover William Worcester implies that the earl dissembled his displeasure at the Wydeville marriages and in one case only, that of William Herbert, does he say that other nobles shared Warwick's displeasure and even here they objected to William Herbert's assumption of the title, Lord Dunster, rather than to the marriage itself.<sup>6</sup> Although other nobles were undoubtedly jealous of the Wydevilles' success there is no evidence to show how far the circle of resentment extended and, as we shall see, very few nobles were prepared to support Warwick when he took arms against the king a few years later.<sup>7</sup>

Nor were the Wydevilles lavishly endowed with royal grants. Their political influence, though naturally great, seems to have been neither excessive nor sinister.<sup>8</sup> The queen's father, Lord Ryvers, was no less

<sup>1</sup>See above, pp. 131-2.

<sup>2</sup>William, earl of Arundel (married to Warwick's sister, Joan, who died in 1462). He had gone over to the Yorkists just before St. Albans II (1461). He seems to have played little or no part in the politics of the 1460s. He was a councillor in 1472. There is no evidence that the family connexion with the Nevilles in the 1450s or the Wydevilles in the 1460s had any appreciable effect on his political actions.

<sup>3</sup>Anne Holland died childless before 1474 and other arrangements were then made for Thomas Grey (*C.P.*, v. 215, n. (b)), though he was given a life-interest in some of the Holland lands, *Cal. Pat. Rolls 1467-77*, p. 582.

<sup>4</sup>Buckingham is said by Dominic Mancini (Armstrong, *Usurpation of Richard III*, pp. 90-1) to have detested the Wydevilles because, when young, he had been forced to marry the queen's sister 'whom he scorned to wed on account of her humble origin'. It should be noted that this statement dates from Richard III's reign when every attempt was being made to blacken the Wydevilles. The word 'forced' is, in any case, misleading. Buckingham had been a child of eleven at the time. His marriage had been disposed of like that of any other child of the feudal classes whether in wardship or not. He had been no more and no less 'forced' than any of the numerous Neville children.

<sup>5</sup>See p. 133, n. 3.

<sup>6</sup>See p. 135, n. 2.

<sup>7</sup>See p. 147, n. 4.

<sup>8</sup>Mancini writing under Richard III states that in Edward's later years the queen 'attracted to her party many strangers and introduced them to court, so that they alone should manage the public and private business of the crown . . . give or sell offices, and finally rule the very king himself'. Armstrong, *Usurpation of Richard III*, pp. 78-9. Even of this later period the statement seems exaggerated. In 1483 the queen was unable to get a grant of lands for her second son, Lord Richard Grey, without payment. See p. 142, n. 1.



qualified than many other men for the office of treasurer<sup>1</sup> in which he succeeded Warwick's protégé, Sir Walter Blount.<sup>2</sup> It was, after all, Edward himself who raised Blount to the peerage as Lord Mountjoy in 1465. Although Ryvers was made an earl, he received very little, apart from the treasurership and the constableness, in the way of royal grants.<sup>3</sup> Ryvers and his wife may have been grasping and vindictive. If Fabyan's accusation that the pair of them, from sheer spite, brought about the ruin of Sir Thomas Cook is true, the story certainly shows an evil streak.<sup>4</sup> No one ever brought such accusations against their eldest son. By modern standards Anthony Wydeville was by no means scrupulous.<sup>5</sup> Yet in spite of malicious attacks and slanders which he suffered from time to time,<sup>6</sup> his reputation remained high. Both Dominic Mancini and Sir Thomas More, writing after the gossip of years had been directed against the family, found more good than evil to say of him. Mancini, who picked up the court gossip of the last few months of Edward's life, wrote that Anthony Wydeville 'was always considered a kind, serious, and just man, and one tested by every vicissitude of life. Whatever his prosperity he had injured nobody, though benefiting many'.<sup>7</sup> The king himself did not always find Lord Scales congenial. In spite of his gaiety and his skill in the tiltyard, his highly cultivated mind revealed from time to time a streak of melancholy which repelled a sybarite like Edward. The hair shirt which he wore beneath his gay courtier's clothes was afterwards venerated as a relic by the Carmelite Friars of Doncaster.<sup>8</sup> Yet, in spite of outbursts of irritation

<sup>1</sup>W. Dugdale, *The Baronage of England* (1675-6), ii. 230, was of the opinion 'in respect of his valour in Arms, great integrity, and acceptable services, [Ryvers] was advanced to the degree of a Baron' (1449). If Principal Steel's conjecture is correct, that in the 1450s and 1460s rich men were appointed as treasurers 'so that they could tide the exchequer over any pressing emergency out of their own resources', Ryvers must already have been rich. (A. Steel, *The Receipt of the Exchequer, 1377-1485* (1954), pp. 330-1.) He lent £12,259 between 1466 and 1469.

<sup>2</sup>C.P., ix. 335. The pseudo-William Worcester (Stevenson, ii. ii. 785) says that the change was made 'ad secretam displicentiam comitis Warrwici et magnatum Angliae'. One wonders what Lord Grey of Ruthyn's feelings had been when, in Nov. 1464, he had been replaced as treasurer (after sixteen months in office) by Warwick's upstart friend Blount who was not even a baron at the time.

<sup>3</sup>*Cal. Pat. Rolls 1461-7*, pp. 81, 83, 470; *Cal. Pat. Rolls 1467-77*, p. 97. His other grants consisted of two minor offices, one grant of land (jointly with others) and one valuable wardship. Others (*ibid.*, pp. 33-4, 59) only repaid debts due to him. Edward may have thought that Ryvers was already sufficiently well provided for with the duchess of Bedford's dower. She was probably one of the richest women in England. Pugh and Ross, *ante*, xxvi. 21.

<sup>4</sup>Fabyan, p. 656; *Great Chronicle*, pp. 204-8.

<sup>5</sup>He was not above attempting to bring Lord Hastings into disfavour with the king and for a time succeeded. More, pp. 55, 428; Armstrong, *Usurpation of Richard III*, p. 138, n. 31.

<sup>6</sup>See J. Gairdner, *Richard III* (new edn., 1898), pp. 338-9.

<sup>7</sup>Armstrong, *Usurpation of Richard III*, pp. 82-3; More, pp. 40, 406.

<sup>8</sup>J. Rous, *Historia Regum Anglie*, ed. T. Hearne (Oxford, 1716), p. 212.

against him,<sup>1</sup> Edward respected him enough to put him in charge of the education of the prince of Wales.<sup>2</sup> He had already married an heiress, the widowed Lady Scales,<sup>3</sup> before his sister married the king. His later gains and those of other members of the family were comparatively modest. Warwick could have found very little to attack in that quarter. Before the earl broke with Edward, Anthony Wydeville had obtained only four grants from the king: one the reversion of a grant already made to his father, one a minor office, one a minor wardship. The fourth and only immediately valuable one was the Isle of Wight with the castle and lordship of Carisbroke.<sup>4</sup> The younger members of the family got nothing until after 1470, after Warwick's death. Anthony's brother, Lionel, though given the bishopric of Salisbury,<sup>5</sup> was never, so far as we know, a member of the royal council. As for the rest, the queen's brothers, Sir Edward and Sir Richard,<sup>6</sup> and the queen's two sons by her first marriage, the marquis

<sup>1</sup> '... in so myche that the Kyng hathe seyde of hym, that wen evyr he hathe most to do, then the Lord Scalys wyll sonest axe leve to depert, and weenyth that it is most be cause of kowardyese'. Letter of John Paston the youngest to Margaret Paston, 5 July 1471. *Paston Letters*, iii. 10-11. Anthony Wydeville, it is said, had expressed a wish to go to Portugal at this time. Scofield, ii. 3-4. In view of Wydeville's work in London since March and the fact that he wished to go to Portugal to fight against the Saracens the accusation of cowardice was quite unjustified. The king's words spoken at an extremely busy time after months of strain are best regarded as a momentary outburst of irritation rather than a considered judgment. But see also *Cal. State Papers Milan*, i. 227-8.

<sup>2</sup> *Cal. Pat. Rolls 1467-77*, p. 417; Armstrong, *Usurpation of Richard III*, pp. 82-3.

<sup>3</sup> *C.P.*, xi. 507.

<sup>4</sup> His principal gains came only after 1469. A. *Offices and Custodies* Apart from the offices of Chief Butler (1473), Constable (1467, reversion of his father's grant) and governor and lieutenant of Calais (16 June 1470 to May 1471 only), there were only five, all minor. *Cal. Pat. Rolls 1461-7*, p. 188, *Cal. Pat. Rolls 1467-77*, pp. 19, 41, 415, 422, 450, *Cal. Pat. Rolls 1476-85*, pp. 261, 315, 332. B. *Annuities* £200 from the Customs (1470) and £20 reversion on the death of Philippa Wyngefeld, *Cal. Pat. Rolls 1467-77*, pp. 206, 375, 423. C. *Lands* The overlordship of the Isle of Wight, the castle and lordship of Carisbroke and all other manors and lordships etc. within the island, three other manors, the reversion of seven more and a good deal of the property of William Vaux, who was attainted. *Cal. Pat. Rolls 1461-7*, p. 535; *Cal. Pat. Rolls 1467-77*, pp. 421-2, 422, 423, 424. D. *Wardships* Two, both minor. *Ibid.*, pp. 152, 475.

In addition in 1478 and 1479 he was granted certain lands until he should have received 1,000 marks in compensation for injuries perpetrated on him and his parents by the duke of Clarence. *Cal. Pat. Rolls 1476-85*, pp. 115, 132, 135.

<sup>5</sup> He became archdeacon of Oxford at nineteen and dean of Exeter at twenty-five. Unlike Robert Neville he did not obtain the bishopric of Salisbury until he was twenty-nine. *Cal. Papal Registers*, xiii (1955), pp. 248, 744, 806. His other preferment was by no means excessive. *Cal. Pat. Rolls 1467-77*, p. 541; *Cal. Pat. Rolls 1476-85*, pp. 17, 296, 569. The promotion intended for him seems modest compared with that apparently planned for Edward's sister's son, Edward de la Pole. *Cal. Papal Registers*, xiii. 714, 274-5. See also K. B. McFarlane, *Eng. Hist. Rev.*, lxxiii. 677.

<sup>6</sup> Sir Edward died unmarried. He was very little employed by the king and received only two known grants, both small. Scofield, ii. 31, 251, 284, *Cal. Pat. Rolls 1476-85*, pp. 180, 199, 224. Sir Richard (who ultimately became the third

of Dorset and Lord Richard Grey, Edward, in his later years, found them amusing enough to relax in their company but he seems to have allowed them little power or influence.<sup>1</sup>

The queen herself may have felt her 'petite extraction' (as a foreign writer called it) keenly enough to insist on the greatest personal deference being shown her.<sup>2</sup> One incident is usually quoted to show her haughty temperament—an episode described in the *Travels of Leo of Roxmital*—how on the evening following her churching in 1465 she sat alone at table on a costly golden chair and, after a dinner lasting three hours, during which not a word was spoken, dancing began and during the dance the queen's mother knelt before her all the time, except at intervals when bidden to rise.<sup>3</sup> The incident is, however, capable of another interpretation. The long silence was not the result of pride. It was common form. The silence which the English maintained at banquets was notorious amongst foreign visitors.<sup>4</sup> Protocol at the English court during the fifteenth and sixteenth centuries was strict and magnificent.<sup>5</sup> A similar deference had been paid to Margaret of Anjou.<sup>6</sup> The Yorkists, like the Tudors, seem to have used magnificent ceremonial as a conscious vehicle

and last Earl Ryvers) was employed on various embassies and commissions. In 1468 Edward wished him to be prior of St. John's but Warwick's supporter, John Langstrother, obtained the post. Scofield, i. 499, n. 2. I have found no evidence of any grants to him.

<sup>1</sup>See Lander, *ante*, xxxii. 161, n. 5. Thomas was created earl of Huntingdon in 1471 and marquis of Dorset in 1475. He was provided for by two marriages to (1) Anne Holland and (2) Cecily, daughter and heiress of Lord Harrington and Warwick's sister, Catherine. In the event of his death before the marriage was consummated Cecily was to marry his brother Lord Richard Grey, of whom very little seems to be known during Edward's reign. Although he was appointed to serve on various commissions no grants to him are recorded on the Patent Rolls. In 1483 arrangements were made to marry Dorset's infant son, Thomas, to Anne, the daughter and heiress of Anne of Exeter and Thomas St. Ledger. The girl had been made Anne of Exeter's heir. As part of the arrangements Lord Richard Grey was to obtain eleven manors from the Exeter estates. The arrangement cost the queen and Dorset 5,000 marks paid to the king, probably about one-fifth of the value of the Exeter estates at current prices. Even so the price was high compared with the prices Ralph of Raby had paid for his various acquisitions earlier in the century. *Cal. Pat. Rolls 1467-77*, pp. 32-3, 137-8, 360, 373-4, 456-7; *Cal. Pat. Rolls 1476-85*, pp. 174, 212, 283-4; *Rot. Parl.*, vi. 215-18.

<sup>2</sup>Before she visited Norwich in 1469 the sheriff told the mayor that the queen 'woll desire to ben resseyved and attendid as wurshepfully as evir was Quene a forn hir'. *Paston Letters*, ii. 360.

<sup>3</sup>*The Travels of Leo of Roxmital*, ed. M. Letts (Hakluyt Soc., 2nd ser., cviii, 1957), pp. 5, 47.

<sup>4</sup>*A Relation . . . of the Island of England*, trans. and ed. C. A. Sneyd (Camden Soc., 1847), pp. 44 and 113, n. 75.

<sup>5</sup>See *Travels of Leo of Roxmital*, p. 45. For the Tudors see A. L. Rowse, *The England of Elizabeth* (1951), p. 265.

<sup>6</sup>'When the wife of the Duke of Petro a Baylito, the king's son and all the duchesses speak to the queen, they always go on their knees before her.' *Cal. State Papers Milan*, i. 19.

of policy,<sup>1</sup> possibly imitating the court of Burgundy.<sup>2</sup> Elizabeth Wydeville may well have been acting under orders.<sup>3</sup>

Avaricious, Elizabeth may have been. Again, convincing proof is lacking. If she loved money unduly her husband attempted to keep such passion within decent bounds. As careful of public opinion in this as in other financial matters, he saw to it that her dower was allotted with the advice of the Great Council of peers<sup>4</sup>—and it was considerably smaller than the dower which Margaret of Anjou had enjoyed. Elizabeth's household was always much more economically run than the Lancastrian queen's, her expenditure smaller, her demands in some ways less.<sup>5</sup> Hard-headed in her business relations she may have been: there were few people in the fifteenth century who were not.

Contemporaries would naturally have expected the queen's family to enrich themselves as far as they could. By fifteenth-century standards they would have been quite abnormal had they not done so. Their success was great enough for open satire. Edward's court fool gibed that in some counties the Ryvers were so high that it was impossible to get through them.<sup>6</sup> Jealousy was to be expected but the fact that this gibe was made in the king's very presence might warn us against taking it too seriously. The seven great marriages apart, record sources do not support accusations that a never-ending shower of riches rained down upon the Wydevilles. Edward may have been enamoured but he was not so blindly enamoured that he was lavish in grants from the Crown lands and royal revenues. As we have seen, the queen's dower was modest and the grants of lands and offices made to her relations, with the exception of the posts of treasurer and constable, were comparatively small; very small when set beside those made to supporters like Lord Hastings and Lord Herbert.<sup>7</sup>

Nor were the Nevilles doing at all badly out of the Yorkist revolution. Far from it. In 1461 Edward created William Neville, Lord Fauconberg, earl of Kent and endowed him with more than fifty-six manors and lordships and two boroughs<sup>8</sup>—an endowment which compares very favourably

<sup>1</sup>Armstrong, *Trans. Roy. Hist. Soc.*, 4th ser., xxx. 70-2.

<sup>2</sup>In 1475 Edward asked Olivier de la Marche for a written description of the estate kept by Charles the Bold in his household and on the battlefield. *Mémoires d'Olivier de la Marche*, ed. H. Beaune et J. d'Arbaumont (Paris, 1883-8), iv. 1ff, 153-7. The influence of Burgundy on the Yorkist court needs fuller investigation.

<sup>3</sup>The incident should be compared with the very different description of Louis de Gruthuyse's visit to Windsor in 1472. See *Archæologia*, xxvi (1836), 275-80; C. L. Kingsford, *English Historical Literature in the Fifteenth Century* (1913), pp. 382-8.

<sup>4</sup>Stevenson, II. ii. 783.

<sup>5</sup>See A. R. Myers, 'The household of Queen Margaret of Anjou, 1452-3,' *Bull. John Rylands Lib.*, xl (1957-8), 1-21, for a comparison of the revenues, expenses etc., of the two queens.

<sup>6</sup>*Great Chronicle*, p. 208, under 1469.

<sup>7</sup>See Lander, *ante*, xxxii. 154 and ns. 5 and 6. I hope to deal with both Hastings and Herbert more fully elsewhere.

<sup>8</sup>*C.P.*, vii. 163; *Cal. Pat. Rolls 1461-7*, pp. 73, 225. He was also admiral for a time.

with the four grants which were all that Anthony Wydeville received before 1470. In 1464 Warwick's brother, John Neville, whom Edward had created Lord Montagu in 1461, was made earl of Northumberland with a large part of the Percy estates to maintain his new dignity.<sup>1</sup> Warwick himself had already made enormous gains under Henry VI,<sup>2</sup> which he now presumably kept, and, in May 1461, Edward granted him all the offices, farms and custodies which his father had held or which he had held conjointly with his father or with his brothers, Thomas and John.<sup>3</sup> Even after 1464 the golden fountain did not run dry. Within a few days of the king's revelation of his marriage, George Neville became archbishop of York.<sup>4</sup> Warwick himself continued to receive valuable grants.<sup>5</sup> His gains from office and from the royal service were notorious at home and abroad but, as the author of 'Hearne's Fragment', admittedly a writer prejudiced against the earl, put it, Warwick's 'insaciable mynde cowde no3t be content'.<sup>6</sup> Although an exact comparison of values is impossible, the marriages of the mid-fourteen-sixties apart, the Nevilles took more from the royal bounty in titles, lands, offices and money grants than the Wydevilles.

The reputation of the Wydevilles has almost certainly been distorted in the sources which have survived. Generally speaking, descriptions of the family have come down to us from authors who wrote some years later, whose information on definite political matters was often inaccurate and who, in this as in other matters, collected and often distilled the jealous gossip of one or more decades, gossip which may well have been inspired

<sup>1</sup>*C.P.*, ix. 89-91, 717; Bean, pp. 109-10. Before he was created earl of Northumberland he had received the wardenship of the East Marches, a grant of the Cornish tin mines, the ulnage from Yorkshire and Hull and nine manors. *Cal. Pat. Rolls 1461-7*, pp. 19, 130, 195.

<sup>2</sup>The indictment of 1459 alleges that Henry VI had showed his 'grace and bounteous grauntes, in right ample wise' to both Salisbury and Warwick and amongst other things that 'he [Salisbury] and his had in rule, all youre Castelles and honourable Offices, fro Trent northward' except Knaresborough Castle and Salisbury had the reversion even of that. *Rot. Parl.*, v. 347.

<sup>3</sup>The offices were granted for life and the farms and custodies for a term of twenty years. *Cal. Pat. Rolls 1461-7*, p. 95. He was, amongst other things, Captain of Calais, Admiral of England, Great Chamberlain and Steward of England, chief justice and chamberlain of South Wales, warden of the West March, constable of Dover, warden of the Cinque Ports. R. L. Storey, 'The wardens of the Marches of England towards Scotland,' *Eng. Hist. Rev.*, lxxii (1957), 607, 614. He obtained various minor grants between 1461 and 1464. *Cal. Pat. Rolls 1461-7*, pp. 45, 71, 186, 189, 215, 265, 292.

<sup>4</sup>Neville was given custody of the temporalities *sede vacante* on 16 Sept. and the licence to the dean and chapter to elect was issued on the 27th. The papal bull did not reach England until the following summer. *Cal. Pat. Rolls 1461-7*, pp. 327, 329; Scofield, i. 354, n. 5.

<sup>5</sup>See p. 146, n. 5.

<sup>6</sup>'Hearne's Fragment', p. 299. Commynes wrote that Warwick enjoyed an income of 80,000 crowns a year from grants and pensions alone. *Mémoires*, i. 192-3. Like the rumours of the Wydevilles' gains this is obviously exaggerated but it shows what some people at least thought of Warwick.

by Warwick's own resentment. An impression has thus been created that Warwick and the Wydevilles were irrevocably hostile from the moment that Edward revealed the fact of his marriage. In spite of the humiliation which the marriage brought on Warwick in France this extreme interpretation may well be doubted.

It remains still to assess how far such family alliances and competition for court patronage influenced mid-fifteenth-century politics at the highest level. These sordid tangles of matrimonial competition, rivalry for property and influence were the absorbing interest of landed families. Rival families competed bitterly both in the country and at court. In the twenty years between 1450 and 1470 the ambitions of one over-mighty family and of part of another came to dominate national politics. Lust for power, possibly intensified by heavy debts, or even fears, however ill-founded, for his own personal safety, drove the duke of York to treason and ruin in the fourteen-fifties. Salisbury and Warwick joined him, probably less out of family solidarity, or to force upon the Lancastrian court recognition of what York regarded as his just claims, than to strengthen their own hands in a recent feud with their other close relations, the younger members of the Percy family. Without this far from disinterested support from the two Neville earls, Richard of York would have found it difficult to maintain his factious opposition to Henry VI. No influential sector of English society gave him its support. Until 1460 the nobility as a whole watched his various attempts to seize power with aloof disapproval. Throughout the fourteen-fifties there was no such thing as a 'Yorkist party'. Only after the Parliament of Devils did a substantial minority of the nobility (including, at last, other members of the Neville family) give him active support. Then, in a desperate situation a small and dubious group of peers, on 3 March 1461, did for Edward what the nobility as a whole had consistently refused to do for his father—they made him king. Edward began his reign as the king of the Nevilles. In fifteenth-century conditions it was impossible for him to rule through the narrow clique which had given him the crown. From early days his court was open to ex-opponents, Wydevilles included, who were prepared to give him loyal service.<sup>1</sup> Whatever Edward's relations with his cousin, Warwick, had been during his father's lifetime, there were some who, even before his coronation, thought that recriminations might before long break out between them.<sup>2</sup> In the fourteen-sixties Warwick's jealousy of the Wydevilles was only one stage, and, most probably, not the most significant stage, in a career which resentment progressively, and finally completely, dominated. In September 1464 Warwick was justly incensed at the way in which the king had concealed his marriage while allowing him to press on with negotiations for a French matrimonial allowance. His immediate indignation, either overcome or dissembled,<sup>3</sup> was in the

<sup>1</sup>See Lander, *Hist. Jour.*, iv. 125 ff.

<sup>2</sup>*Cal. State Papers Milan*, i. 76.

<sup>3</sup>In spite of the fact that Louis XI drew conclusions from a letter (now lost) from Warwick that the earl was so angry he desired to make himself king of

first place sustained by the Wydeville success in the marriage market: their success in gaining some of the prizes which he had thought to dispose of elsewhere. Again he seems to have kept his displeasure secret, or at least within decent bounds, whilst various members of his own family obtained other, and ample, rewards. It was most probably the political crisis of 1467 with the complete repudiation of Warwick's pro-French policy,<sup>1</sup> exacerbated by his personal hatred for Charles the Bold of Burgundy,<sup>2</sup> together with his failure to persuade Edward to allow the duke of Clarence to marry his daughter Isabella, which caused the final break with Edward two years later. By the middle of 1467 the king had lost patience with the Nevilles and their intrigues.<sup>3</sup> In June he deprived Archbishop Neville of the chancellorship<sup>4</sup> and for the first time Warwick himself was stripped of some of his gains: stripped of the farms and custodies, though not of the offices, in which he had been confirmed in May 1461.<sup>5</sup> At the same time Edward carried on his own pro-Burgundian foreign policy, concluding a treaty of amity with Charles the Bold, and continued negotiations for a marriage alliance.<sup>6</sup> The lesson was lost on Warwick. He nursed his grievance, probably through months of intrigue. Even now Edward was not vindictive. Before the end of the year he had given the earl the valuable wardship of Francis, Lord Lovell,<sup>7</sup> and with notable forbearance gave him chance after chance of co-operating with others in the royal

England, by Michaelmas day 1464 he had swallowed his wrath sufficiently to assist Clarence in escorting Elizabeth into the chapel of Reading Abbey where she was honoured as queen. Scofield, i. 354. Various attempts have been made to deduce the relationships between the king and Warwick over the next few years from the various social occasions at which they were or were not present. These attempts are more ingenious than convincing.

<sup>1</sup>It may be argued that Edward, in allowing Warwick to continue negotiations with France, was guilty of gross deception. On the other hand (a) Warwick was well aware of Edward's pro-Burgundian leanings, and (b) it was by no means unusual in current diplomacy to pursue simultaneously with different states negotiations with mutually exclusive aims.

<sup>2</sup>Fulman, p. 551.

<sup>3</sup>In May 1467 it was said that Louis XI had invited Margaret of Anjou to his court and there was talk in France of trying to bring her and Warwick together. George Neville had tried to put petty obstructions in the way of the Bastard of Burgundy's visit to London and he was intriguing in Rome for a cardinal's hat. Warwick was also trying to get a dispensation for his daughter's marriage with Clarence. Just how much of all this was known to Edward it is impossible to say. Scofield, i. 407, 410-16, 433-4.

<sup>4</sup>*Ibid.*, p. 416.

<sup>5</sup>He had been completely exempted from the Resumption Act of 1465 and had then received further grants. In 1467 he had to surrender all 'Graunts and Dymyes for terme of yeres, to the same Erle by us made'. The offices were exempt as they were life grants. *Cal. Pat. Rolls 1461-7*, pp. 434-5, 540; *Rot. Parl.*, v. 524, 579.

<sup>6</sup>Scofield, i. 429-31.

<sup>7</sup>*Cal. Pat. Rolls 1467-77*, p. 51. For others up to Feb. 1469 see *ibid.*, pp. 132, 137.

council.<sup>1</sup> When the break finally came, after a period of apparent reconciliation, it was very much of Warwick's own choosing: the result of his temperamental incapacity (possibly influenced by his uncle's, the duke of York's, disastrous example in the fourteen-fifties) to accept anything less than domination over a king whom he and the younger branch of the Nevilles had made. The probability that their king-making had been against their better judgment would (if this hypothesis be true) have sharpened the edge of his resentment.

By 1469 Warwick was ready to lay about him with any weapons that came to hand. The real reason for his discontent—failure to impose his own will upon the king and council, especially in foreign policy, would hardly make a convincing platform on which to appeal for support. The queen's family, and other so-called upstarts, were prominent and successful enough to provide an object for attack. The hoary cliché of the discontented, by this time almost a political convention, that the king was surrounded by corrupt and grasping councillors who robbed him of his substance, was too convenient to be neglected. It was an accusation suspiciously similar to those levied against Henry VI's advisers in 1459–60<sup>2</sup>: part of the vocabulary of those who were out of power. If, as Polydore Vergil recounts, Warwick did accuse the king of making 'more honorable account of new upstart gentlemen than of the ancient houses of nobyltye; wherfor ether must the nobyltye destroy him, or els he wyll destroy them',<sup>3</sup> he disastrously miscalculated the effects of his appeal on the nobility. Even at the end of the fourteen-sixties there was no sign that any 'ancient houses of nobyltye' appreciated his concern for their interests against an upstart generation.<sup>4</sup> Even his brother, the earl of Northumberland, supported him tardily and reluctantly.<sup>5</sup> When finally he took the king prisoner at the end of July 1469, within ten weeks he was forced to release him, having found it impossible 'to cope with the situation he had created'.<sup>6</sup> The nobility may not have cherished very cordial feelings for

<sup>1</sup>I hope to deal elsewhere with Warwick's actions during the treason scares of 1468 and with this particular point.

<sup>2</sup>E.g. see *An English Chronicle*, p. 79.

<sup>3</sup>*Three Books of Polydore Vergil's English History*, p. 119.

<sup>4</sup>Only four peers had been prepared to fight for Warwick up to the time of his flight after the Lincolnshire Rebellion and two of these, Lord Fitzhugh and the earl of Oxford, were married to his sisters, Alice and Margaret. In 1469 only Oxford was with him before the battle of Edgecote. Scofield, i. 495–6. Oxford had a special grudge as Edward had executed his father and elder brother in 1462. When Fitzhugh raised a force in the north at the end of July, Northumberland, Warwick's brother, attempted to repress him. *Ibid.*, p. 534 and n. 3. During the Lincolnshire Rebellion, apart from Lord Willoughby, only Lord Scrope of Bolton rose in his favour. *Chronicle of the Rebellion in Lincolnshire, 1470*, ed. J. G. Nichols (Camden Miscellany, i, 1847), p. 12. Warwick had hoped for the support of his brother-in-law, Lord Stanley, but Stanley stood aloof. *Paston Letters*, ii. 395–6.

<sup>5</sup>See above, n. 4.

<sup>6</sup>Scofield, i. 502. Lords Mountjoy, Dynham, Dacre of the South and Ferrers of Chartley were members of the council in London during this period (Public Record Office, Council Warrants, C.81/1547/7,8) but they never fought for Warwick.



the Wydevilles but by this time they knew their Nevilles. Nor were the Nevilles, as a whole, particularly enthusiastic for Warwick's plans.

The customary assertions that the marriages arranged for the Wydevilles and the Greys were socially disparaging to the families thus united with them and that the nobility as a whole regarded them with great hostility are not entirely convincing. The nobility may well have viewed with some disfavour, tinged with jealousy, newly created peers who added to their riches by means of their close connexion with the court. Some may well have looked down upon Earl Ryvers because his main source of income was the duchess of Bedford's dower.<sup>1</sup> Nevertheless, we cannot be sure that this kind of anobbery was not, in part, a cover for resentment that a wider circle would be chasing a limited stock of offices, annuities and court pickings generally. The idea of 'old nobility' has been very much over-worked. Baronial families in general seem to have died out in the male line about every third generation. Of the noble families in existence in 1485 half had been extinguished in the male line by 1547 and there is no reason to believe that the proportion was less in the mid-fifteenth century.<sup>2</sup> This high mortality meant that the honours of a large section of the nobility did not go very far back. Between 1439 and 1504 there were sixty-eight new creations of peers. Of these only twenty-one were for the husbands or sons of old peerage heiresses, leaving forty-seven completely new creations.<sup>3</sup> The nobility had constantly to be recruited from below and its basis was plutocratic rather than aristocratic.<sup>4</sup> Its numbers were maintained by promotion from a group of rich untitled families whose way of life differed little, if at all, from that of the lesser nobility: a pool, in fact, from which the numbers of the parliamentary peerage were constantly re-stocked.<sup>5</sup>

There were extensive family connexions between the peerage and other prosperous landowners and there seems to have been no objection in the fifteenth century to marriages between noble and gentry families.<sup>6</sup>

<sup>1</sup>I owe this suggestion to Mr. K. Wallis.

<sup>2</sup>H. Miller, 'The early Tudor peerage, 1485 to 1547', *ante*, xxiv (1951), 88; S. L. Thrupp, 'The problem of Conservatism in fifteenth-century England', *Speculum*, xviii (1943), 367.

<sup>3</sup>Adapted from *History of Parliament, Register*, pp. lxxii-lxxiv. These figures may need some revision but they are accurate enough for this purpose. Promotions from one degree to another are excluded.

<sup>4</sup>Noblemen were deprived of their rank if they became too poor to maintain it: e.g. see the case of John Neville, duke of Bedford, 1478. *Rot. Parl.*, vi. 173. Sir Anthony Wagner points out that c. 1530 'as earlier' gentility and nobility were interchangeable terms and that grants of arms, their outward sign, could be made to any person 'havyng landes and possessyons of free tenure to the yerlye value of x pounds or in movable goods iiic. li. sterlyng'. A. R. Wagner, *Heralds and Heraldry in the Middle Ages* (2nd edn., 1956), pp. 9, 11, 77-9. Some contemporaries held more snobbish views however. See S. L. Thrupp, *The Merchant Classes of Medieval London* (1948), Ch. vii and below, p. 149, n. 1.

<sup>5</sup>J. S. Roakell, 'The social composition of the Commons in a fifteenth-century parliament', *ante*, xxiv (1951), 169-70.

<sup>6</sup>*Ibid.*, pp. 167-8 for examples.

Edward's relations and supporters like the Bouchiers and the Greys of Ruthyn (both already connected with the Greys of Groby) and the Herberts were unlikely to have disdained their new and closer relationship with the court. If Warwick objected on principle, and not merely from opportunist motives, to the union of men and women of noble houses and those of lesser rank and to the employment of new men in high places,<sup>1</sup> it is somewhat disconcerting to find that within eleven years two of his sisters and one of his aunts married men of this kind—all of them more recently ennobled than Earl Ryvers. If Warwick's resentment was caused by principle he should have objected most strongly to his sister Eleanor's marriage to Lord Stanley,<sup>2</sup> his sister Catherine's to Lord Hastings<sup>3</sup> and that of his aunt, the widowed duchess of Buckingham, to Lord Mountjoy.<sup>4</sup> The Stanleys had reached the peerage only in 1456, Hastings in 1461, Mountjoy in 1465 and Hastings had been most lavishly endowed by the king. Logically Warwick should have included Hastings and Mountjoy at least in his denunciations of the Wydevilles, Lord Herbert and Humphrey Stafford of Southwick in 1469. They were not included because politically he could not afford to include them. Denunciations of greed and corruption often fall most bitterly from the lips of those deprived of the opportunity to commit such vices. Thwarted in his own plans, he exhibited violent hypocrisy in his accusations against the Wydevilles. In two generations the various male descendants of Ralph of Raby and Joan Beaufort had collected four baronies and four earldoms and the women between them had married six barons, one viscount, six earls and three dukes.<sup>5</sup> This compares very well with the Wydevilles and the Greys who, by 1469, had acquired only two baronies, one earldom, one dukedom and two rich dowager duchesses (one royal) for their males, and two barons, three earls and one duke for their females.<sup>6</sup> The matter may be considered in other ways. The impoverished earl of Westmorland would hardly have joined Warwick in denouncing the covetousness of other

<sup>1</sup>In 1459 at Calais, Warwick, his father and the king (then earl of March) had all 'recheted' their newly captured prisoners, Lord Ryvers and Anthony Wydeville, as being 'made' men aspiring to political influence above their station in life. Such sentiments may have been expressed more frequently than they were acted upon. After all Edward was very soon employing the Wydevilles after he became king.

<sup>2</sup>*C.P.*, iv. 207. After 10 May 1457.

<sup>3</sup>*Ibid.*, vi. 373. Before 6 Feb. 1462.

<sup>4</sup>*Ibid.*, ix. 336. Before 25 Nov. 1467.

<sup>5</sup>Since writing this article I have discovered two other noble marriages (1) Salisbury's daughter, Cecily, after the death of her first husband, Henry de Beauchamp, to John Tiptoft, earl of Worcester and (2) his daughter Catherine, to Lord Harrington. *C.P.* xii. ii. 845; ii. 219; vi. 320.

<sup>6</sup>Marriages to heirs have been counted as equivalent to marriages to actual holders of titles. If the same man held a barony and later obtained a higher dignity both have been counted. John Neville's title of Marquis Montagu (1470) and titles which came to the Wydevilles and the Greys after 1470 have been omitted.

people. Was the marriage of Sir John Wydeville more nauseating or 'diabolical' than that of Warwick's uncle, William Neville, to an idiot child of fifteen? Lionel Wydeville was at least of canonical age when he was provided to the bishopric of Salisbury<sup>1</sup> which is more than we can say of Robert Neville—or of George Neville who was still too young to be consecrated when he was hurriedly intruded into Exeter in 1456. Perhaps most outrageous of all to contemporaries was the creation of John Neville as earl of Northumberland in 1464 when the Percy heir, though attainted, was still alive. This was the kind of greed for which the Yorkists had denounced their opponents in 1459.<sup>2</sup> The sanctity of a man's inheritance was the most deeply felt of contemporary sentiments and attainders amongst the nobility were rarely permanent.<sup>3</sup> Grossly flouting contemporary sentiment in some of their gains, the Nevilles exploited the royal bounty to a degree which may well have become a source of political discontent in others.

Although marriage and politics were certainly connected in the mid-fifteenth century, the connexion was far less clear and simple at the higher levels of politics than some earlier writers have alleged.<sup>4</sup> The extensive network of marriage alliances brought off by two generations of the Neville family engendered no corresponding group which acted consistently together in national politics. From 1454 to 1459, although other members of the family may have been sympathetic, Salisbury and Warwick alone of the Nevilles supported the duke of York. They did so most probably to maintain their own quarrel with the Percies. Here the family connexion had no effect for both the duchess of York and the countess of Northumberland were Salisbury's sisters. In the fourteen-sixties his failure to dominate the king's policies rather than his failure to obtain the marriages he wished for was most probably the main cause of Warwick's furious resentment. His attack on the Wydevilles' success was, in great part, a cover for other less respectable, even inadmissible, motives. His rash and seditious plans failed to secure the mass support of his relations who had profited from the Yorkist revolution at least as much as, and probably more than, the queen's family. In both the duke of York and the earl of Warwick personal resentment was a major cause of their violent opposition to the government of the day. Nevertheless, personal resentment, inflamed in the minds of both by excessive ambition and greed, was too narrow an emotion to unite even their own widespread family circle

<sup>1</sup>This, of course, took place long after Warwick's death.

<sup>2</sup>*An English Chronicle*, p. 89.

<sup>3</sup>See Lander, *Hist. Jour.*, iv. 145-6. There is only one other strictly contemporary example of a man taking the title as well as taking over part of the estates of an attainted family, i.e. Humphrey Stafford of Southwick and the earldom of Devonshire in 1468 and he was accused of deliberately bringing about Henry Courteney's death in order to get it. Scofield, i. 482.

<sup>4</sup>E.g. '... the Neville connexion formed the heart of the Yorkist party'. Oman, *Political History of England*, p. 357.

behind them in a career of active treason. Still less could it unite the mass of the nobility, who, apt as they were to take to violence to settle their own quarrels, were not easily persuaded to take to violence against the king. Contrary to their wishes and their judgment, force of circumstances had led them to acquiesce in Henry VI's deposition in 1461. A few years later they were too wary to follow Warwick on the dangerous path of treason once again. By 1470 Warwick was politically isolated in Yorkist England, forced to destroy his own life's work and to cast in his lot with the Lancastrian exiles for whose misfortunes he had been so largely responsible.

J. R. LANDER

## APPENDIX

### *The Yorkist Nobility 1459-1461*

Anyone individually summoned or known to have attended parliament before 1461 has been classed as a peer. Though not completely accurate this is the most convenient definition for the purpose.

Between the flight from Ludford (12 Oct. 1459) and Edward IV's accession (4 March 1461) part of the peerage swung over as follows.

A. *A Neville-Bourchier group* which, though sympathetic, had never been completely committed before this time. Lord Fauconberg held Calais for the Yorkists after Ludford and thereafter fought with them. Viscount Bourchier and Lord Abergavenny were with March and Warwick in July 1460, the duke of Norfolk, the earl of Arundel (Warwick's brother-in-law) and Lord Berners with Warwick on 12 Feb. 1461.

B. *A non-Neville group*. Lord Audley, whose father had been killed on the Lancastrian side at Blore Heath, was taken prisoner during an attempt to relieve the duke of Somerset in Guisnes. During his subsequent imprisonment at Calais he went over to the Yorkists. Some time before Oct. 1460 the eighteen-year-old duke of Suffolk married Elizabeth, York's second daughter, and then supported his father-in-law. Lords Say and Sele and Scrope of Bolton had come over by July 1460. Lord Grey of Ruthyn treacherously deserted Henry VI at the battle of Northampton. Lord Bonville was with Warwick in Feb. 1461. Lord Grey of Wilton and Humphrey Stafford of Southwick were with Edward at Mortimer's Cross. *Registrum Abbatiae Johannis Whethamstede*, i. 368-75, 374; *An English Chronicle*, pp. 91, 95, 107; Stevenson, II. ii. 773; *Three Fifteenth-Century Chronicles*, ed. J. Gairdner (Camden Soc., new ser., 1880), pp. 76-7; *Itineraria Symonis Simeonis et Willelmi de Worcestre*, ed. J. Nasmyth (1778), pp. 327-9; *Cal. State Papers Milan*, i. 51; *C.P.*, XII. i. 448-50; Scofield, i. 94-5.

Humphrey Stafford of Southwick is included as although this peerage is generally held to date from 1461, Mr. W. H. Dunham, Jr., has shown that his father (d. 1450) attended the parliament at Winchester, 1449. Humphrey was a minor at his father's death. W. H. Dunham, Jr., 'Notes from the parliament at Winchester, 1449', *Speculum*, xvii (1942), 407-8.

The pseudo-William Worcester (Stevenson, II. ii. 775-6) states that in Dec. 1460 the Lancastrians were suspicious of Lords Fitzhugh and Greystock. Nevertheless they fought on the Lancastrian side at St. Albans II. Scofield, i. 93, 140,

also adds the earl of Kendal and Lords de la Warr and de Vesci to the Yorkist group. All three were with the Lancastrians in the Tower of London in July 1460 (*An English Chronicle*, p. 95) and no evidence has been found of any Yorkist activity on their part before Edward's accession.

Of earlier adherents the earl of Devonshire had died in 1458 and his son was loyal to Henry VI, being beheaded and attainted in 1461. *C.P.*, iv. 326-7; *Rot. Parl.*, v. 476-83. Lords Clinton and Cobham continued their support. *An English Chronicle*, p. 95; Scofield, i. 77.

Thus, c. 1459-61, 14 peers came over to the Yorkists, 4 of the Neville group, 2 Bourchiers and 8 others. Between 1452 and 1461 there were 20. So omitting Devonshire, Grey of Powys and Salisbury (executed after Wakefield) the actual fighting strength known early in 1461 was 17.

Lords Stanley, Stourton, Dudley and Fitzwarine all attended the royal council after St. Albans II. Scofield, i. 94-5. Evidence is lacking, however, that they fought at the battle.

## Radicalism in Trinidad and Colonial Office Reactions, 1855-6

TRINIDAD, ceded to Great Britain by Spain in 1802 under the Treaty of Amiens, began its history in British hands as a crown colony. St. Lucia was the only other British West Indian island in the early nineteenth century with crown colony government. In Demerara, elected representatives had much financial control in a semi-representative government; elsewhere in the British West Indies there were wholly elected assemblies. These assemblies had acquired control of finance; the nominated councils had lost the power of initiating or even amending finance bills.

In Trinidad, the nominated Council of Advice of five which assisted the first British governor had no legislative functions. Shortly after conclusion of the peace preliminaries, malcontents petitioned the king for the 'blessings of a British constitution'.<sup>1</sup> Demands for representative government recurred thereafter. Lord Liverpool as secretary of state for the colonies gave three reasons for refusing one such demand in 1810. First, the 'Free People of Colour' in Trinidad were a large majority of the free population. They would regard exclusion from political rights and privileges as a grievance, and such an exclusion would be inconsistent with the capitulation, which secured the privileges they had had under Spanish rule. Second, it would not be in accord with British constitutional principles to grant representative government to a small minority. Third, the British Government must retain power to abolish the slave trade.<sup>2</sup>

Sir Ralph Woodford, who became governor in 1813, had 'in addition to his judicial functions, the task of directing the whole Financial, Legislative, and Executive machinery of an extensive colony'.<sup>3</sup> In 1820 malcontents asked the governor for a 'British Constitution and Trial by Jury'<sup>4</sup> without national or religious distinction. Sir R. Woodford considered this issue decided by Lord Liverpool's decision of 1810.<sup>5</sup> The radicals had however two spokesmen who raised their grievances in the house of commons in 1822: Joseph Hume (Aberdeen) and Joseph Marryat (Sandwich), who proposed a commission to investigate taxation, the governor's powers and other matters in Trinidad: Henry Goulburn,

<sup>1</sup>L. M. Fraser, *History of Trinidad* (Trinidad, 1891-6), i. 137.

<sup>2</sup>Liverpool to Hialop, 27 Nov. 1810 (Public Record Office, C.O. 296/4. Colonial Office (C.O.) documents cited throughout this article are all in the Public Record Office.). In all the other British West Indian islands except Dominica, the whites were the majority of the free people and enjoyed exclusive political rights.

<sup>3</sup>H.C. 351, p. 48 (1826-7). XXIII, 332.

<sup>4</sup>Woodford to Bathurst, 29 July 1820 (C.O. 295/50).

<sup>5</sup>Woodford to Bathurst, 1 Nov. 1820 (C.O. 295/51).

parliamentary under-secretary for the colonies, pointed out that there were about 3,600 whites in Trinidad, about 14,000 free persons of colour, and nearly twice that number of slaves. Spanish law secured privileges to the free people of colour and the slaves which they did not have in colonies governed by the British constitution and British laws. If the latter were granted to a fraction of the population, the majority would be harmed. Goulburn pointed out the 'serious difficulties . . . in altering the form of government that had been improvidently granted to our old colonies—a form of government certainly ill adapted to the unhappy peculiarities of their case; but he could not consent that any farther extension should be given to this evil'.<sup>1</sup> Hume withdrew his amendment when Wilnot promised papers.

Increasing abolitionist activity in Great Britain provoked stronger demands among the slave-owning 'British party' in Trinidad for 'British Laws and a British Constitution'.<sup>2</sup> In 1827 the Royal Commission of Legal Inquiry reported that 'all classes of the inhabitants' wanted 'reasonable control over . . . taxation and expenditure . . .'.<sup>3</sup> Radical demands met with little response until 1831 when Lord Goderich conceded a nominated council with legislative functions, but refused a representative assembly and popular elections in a society with a slave majority and a free population divided into Europeans and Africans.<sup>4</sup> The 1831 Council consisted of the governor as president with a double vote, six official members, and six unofficial members who were merchants and proprietors. Finance ordinances could be initiated only by the governor or on his authority. Creation of this council did not satisfy those who wanted more power. A group of planters and merchants complained of the colonists' lack of control over taxation and expenditure, to which they had to contribute. Lord Goderich wrote that if the Council's powers had been delegated to the same individuals by a constituency of Trinidad proprietors, they would have been under an influence from which they were then fairly free; for if they were elected, the prejudices of the privileged class who elected them would largely control their conduct.<sup>5</sup>

The consequences in Trinidad of slave emancipation and equalization of the sugar duties, added to earlier mismanagement and lack of foresight, brought testing years of readjustment to changed labour and market conditions.<sup>6</sup> Governor MacLeod opposed a popular request for representative institutions in 1845 on the grounds that Trinidad was not ripe

<sup>1</sup>Hansard, *Parl. Debates*, new ser., vii, cols. 1843-4.

<sup>2</sup>Fraser, pp. 164-5.

<sup>3</sup>H.C. 551, p. 37 (1826-7). XXIII, 321. See H. Craig, *The Legislative Council of Trinidad and Tobago* (1952), p. 17.

<sup>4</sup>Goderich to Grant, 25 May 1831 (C.O. 296/10). See also G. Carmichael, *The History of the West Indian Islands of Trinidad and Tobago 1498-1900* (1961), pp. 168-71.

<sup>5</sup>Goderich to Grant, 30 Jan. 1832 (C.O. 296/10).

<sup>6</sup>For a discussion of these years, see my book, *Indians Overseas in British Territories, 1834-54* (1953).

for representative government. The Colonial Office upheld his view.<sup>1</sup> After the sugar duties act of 1846 Trinidad passed through trying times. The governor and Legislative Council attempted to meet fast changing conditions by bringing indentured labourers from India. Difficulties of collection within India, of transport and finance, however, slowed this traffic below expectations. Depression and uncertainty provoked attacks on government policy and association for constitutional reform. These attacks were particularly concerned with alleged financial mismanagement by the governor.

In January 1854, Lord Harris, governor-designate of Bombay, left Trinidad after a governorship of nearly eight years, 'at no time free from serious anxiety, and often threatened with serious calamity'.<sup>2</sup> Early in March Captain Charles Elliot<sup>3</sup> arrived from his former governorship of Bermuda. When he assumed control of Trinidad, it was 'receiving a large influx of people from remote parts of the earth, ignorant of our language customs and habits . . .'.<sup>4</sup> More than a fourth of the population were Africans and Asiatics.<sup>5</sup> Of the 17,000 souls returned as the population of Port of Spain in 1851, nearly a quarter of the population of

<sup>1</sup>MacLeod to Stanley, 3 Dec. 1845, and minutes (C.O. 295/147). The Colonial Office refused a further request in 1850. Harris to Gray, 20 March, 20 May, 5 June 1850 (C.O. 295/170).

<sup>2</sup>Harris to Newcastle, 24 Jan. 1854 (C.O. 295/184).

<sup>3</sup>C. Elliot, R.N. (1801-75). Nephew of the first earl of Minto. Volunteered for the Navy in 1815. Governor of Bermuda (1846-54), Trinidad (1854-6), St. Helena (1863-9). Rear admiral 1855: K.C.B. 1856: vice-admiral 1862: Admiral 1865. See C. Blake, *Charles Elliot R.N. 1801-75* (1960).

<sup>4</sup>Elliot to Newcastle, 5 April 1854 (C.O. 295/184).

<sup>5</sup>According to the 1851 census, the population of Trinidad was 68,600 souls. (Elliot to Grey, 22 Feb. 1855 (C.O. 295/187).)

Total Europeans (of whom 727 were British)	1,491
Total Creoles of Trinidad	30,913
From British colonies, chiefly W.I.	10,800
Africans	8,000
Coolies	3,993
From foreign colonies and countries	13,403
	<hr/>
	68,600 souls

At the end of 1853 the number of ratepayers in the colony to the direct taxation under the Warden's Ordinance was 7,900, and half that number contributed less than 12s. each a year. The number rated at £5 and over was 380. (Elliot to Grey, 22 Feb. 1855 (C.O. 295/187).)

From a population of 38,630:

Able to read and write	6,471
Able to read only	3,242

By 1856 the 'coolies' numbered 7,650, of whom 650 were Chinese. The total population was 72,257. There had been no increase of the 727 British. (Elliot to Labouchere, 22 Jan. 1856 (C.O. 295/191).)



Trinidad,<sup>1</sup> 8,000 had no known occupation. Elliot wrote of 'the tendency of this town and its suburbs to lapse into a condition little better than that of the villages I have seen on the coast of Guinea'.<sup>2</sup> He reported that Trinidad was at a 'very critical moment of its financial and industrial struggles'.<sup>3</sup> It could not bear any increase of production costs of the staple exports.

The first half of 1854 saw depression in Trinidad, owing to the low prices of produce in Europe and the high rates of homeward freight. At the end of August cholera almost stopped business for several weeks. Loss from the epidemic was five to six per cent.<sup>4</sup> In September Elliot reported that the colony was hard pressed financially: 'It is a disquieting and an abashing reflection, that a great and fertile colony should be so easily reduced, as I may say to its remainder biscuit.'<sup>5</sup> Notwithstanding his reports of financial stringency, however, Elliot urged the need for more labourers.<sup>6</sup> Despite the languid state of trade during 1854 and the almost entire halt in transactions during August, September and October due to the epidemic, in this year for the first time for some years, the expenditure was covered by the income.<sup>7</sup> An increase in cocoa exports was expected in 1855, but heavy rains affected the sugar crop. The increased difficulty and cost of production due to the rains, the labour shortage arising from cholera and the very limited introduction of Indian coolies in 1854, with the low prices of sugar in the home markets, threatened hardship to the planters. Elliot acknowledged their constancy and strict economy,<sup>8</sup> and attributed their depressed condition to the growth of the slave trade in Cuba and Puerto Rico after lowering of the foreign sugar duties. He pointed out the heavy burden of local taxation on the sugar planter.<sup>9</sup> The estimated expense of 1855 would barely be covered by the estimated income without allowance for emergency.<sup>10</sup>

<sup>1</sup>In June 1855, Elliot estimated the population at 75,000 souls. Elliot to Russell, 1 June 1855 (C.O. 295/188).

<sup>2</sup>Elliot to Grey, 9 Oct. 1854 (C.O. 295/185).

<sup>3</sup>Elliot to Newcastle, 8 April 1854 (C.O. 295/184).

<sup>4</sup>Elliot to Russell, 1 June 1855 (C.O. 295/188). The extraordinary expense was £8,000.

<sup>5</sup>Elliot to Grey, 8 Sept. 1854 (C.O. 295/185).

<sup>6</sup>Elliot to Grey, 7 Nov. 1854 (C.O. 295/186).

<sup>7</sup>Elliot to Russell, 1 June 1855 (C.O. 295/188). Sir C. Trevelyan of the treasury had written in Jan. that it was 'impossible to continue the system which appears to have existed & to vote year after year Estimates exceeding the Revenue of the Colony'. Trevelyan to Merivale, 20 Jan. 1854 (C.O. 295/186). In Oct. the treasury agreed with Elliot's desire to cut expenditure wherever practicable. Trevelyan to T. F. Elliot, 24 Oct. 1854 (*ibid.*).

<sup>8</sup>At the end of Oct. 1855, he wrote that a rise in sugar prices 'has come just in time to save them all from foundering, and with them, all the institutions of the Colony'. Elliot to Merivale, 25 Oct. 1855 (C.O. 295/189).

<sup>9</sup>The acreage under sugar; under cocoa, coffee and cotton; and under provisions, in 1854, and the number of ratepayers in each category of cultivation, are given in C.O. 295/188. Elliot to Russell, 1 June 1855. This table includes further details of rates and ratepayers.

<sup>10</sup>Elliot to Grey, 7 Feb. 1855 (C.O. 295/187).

It was against this background of uncertain stringency in a multi-immigrant community that early in 1855 Elliot sent on a memorial from two Port of Spain residents<sup>1</sup> for constitutional reform.<sup>2</sup> He told the Colonial Office that he favoured extending political privilege as soon as it could be done with safety to all classes. He wrote however of a population 'rapidly strengthening not in increasing proportions of intelligence and capital, but by a Heathen Immigration, and as regards the Immigration from the neighbouring regions for the most part by indigent and ignorant people'. If representation were partially extended in these circumstances, he thought it would be fatal to liberal legislation and financially hazardous. He opposed limited representation: 'The disciplined and griping spirit of a narrow Corporation is always more hurtful to a community than the temporary and capricious excitements of enlarged constituencies, ignorant and impressionable as they may be.' He advocated crown colony government for Trinidad with society as it then was.

When Henry Taylor considered the memorial in the Colonial Office, he was aware that, of the population of Trinidad of over 68,000 in 1855, 1,491 were Europeans. Less than 7,000 could read or write. He thought this was not adequate material from which popular constituencies and a representative government could be formed. Lord John Russell agreed, but directed that Elliot be asked for suggestions to increase the people's confidence in the Legislative Council. He added—and then deleted—this sentence: 'The most intelligent Creoles Gov<sup>r</sup> Elliot should be told might be invited with advantage to occupy seats in the Legislative Council.'<sup>3</sup> In a report in June, Elliot hoped changes in administration would give a training in local affairs and financial management, and 'gradually furnish safe and convenient means of introducing a due admixture of the representative principle into the constitution of the Council of Government'.<sup>4</sup> Taylor thought every practicable preparation should be made to introduce 'the representative principle of Gov<sup>t</sup>.' Ball regarded this as 'the most delicate & difficult problem of our Colonial administration'. He continued: 'If a policy involving considerable changes should be determined upon—the working it out will require the most deliberate

<sup>1</sup>The residents were T. Hinde and R. Ireland.

<sup>2</sup>Elliot to Grey, 22 Feb. 1855 (C.O. 295/187). Ball minuted on 9 June: 'The Governor who is already (I believe) not very popular with the creole population.'

<sup>3</sup>Minutes on Elliot to Grey, 22 Feb. 1855 (*ibid.*). These minutes were written on the draft reply to Elliot:

HT I believe the Council is now formed chiefly of Creoles.

HM What is a 'Creole'? The Spaniards seem to have understood by the word, a *white* born in a colony. In English colonies I think coloured people born in the colony are called 'Creole' negroes, Creole mulattos, etc. I would suggest that the word is a little hazardous.

JB I apprehend that *Creole* is synonymous with native-born & in that sense includes those of every race.

Ld. J: Russell Creole comes from Criollo born & bred in the country as distinguished from old Spaniards.

<sup>4</sup>Elliot to Russell, 1 June 1855 (C.O. 295/188).

reflection & careful preparation both at home & in the separate Colonies. Whatever may be done I w<sup>d</sup> at present avoid anything to encourage premature local agitation.<sup>1</sup>

On 22 October 1855, a public meeting in Port of Spain, with the mayor of the borough of Port of Spain, Joseph Flament, in the chair, carried unanimously five resolutions. Four of these dealt with ordinances to establish health boards and prevent disease. The fifth alleged that the government overlooked 'our real and permanent interests', and that the meeting could not expect redress from the Legislative Council 'in which the people are not represented'. As the meeting had no confidence in the government, they were forming a permanent committee to watch important public matters and adopt measures for general welfare. The meeting nominated a committee which named itself the Reform Association.

<sup>1</sup>Elliot to Russell, 1 June 1855 (C.O. 295/188). In this report Governor Elliot discusses changes in the management of local concerns and roads. Conveniently contiguous wards had been formed into ward unions and placed under a single warden, instead of one to each ward as before. Instead of 41 people following their private callings and receiving an allowance of £100, there were now ten full-time paid officers. Elliot reported: 'I entertain the hope that this improved local administration of extended areas of country and population will train the people in habits of intelligent and vigilant supervision of their own affairs and funds, and gradually furnish safe and convenient means of introducing a due admixture of the representative principle into the constitution of the Council of Government.'

When the Colonial Office was preparing Elliot's report for publication, Taylor put brackets before 'and gradually' and after 'Council of Government.' These minutes followed:

HT 12 July: I have marked for omission a parag: at p. 2 about gradual preparation for the representative principle of Gov<sup>t</sup>. It is very desirable [*sic*] that every practicable preparation sh<sup>d</sup> be made for the introduction of that principle, but I think it sh<sup>d</sup> be made silently. The mention of it by the Gov<sup>t</sup> tends to excite premature struggles for it.

HM July 13. JB 14 July I concur. Lord J. Russell: Is it fair to Gov<sup>t</sup>. Elliot to omit his advice? I think not.

HT 23 July to Merivale: Ld J. Russell expresses an opinion (on the preceding page) that it w<sup>d</sup> not be fair to Gov. Elliot to omit the parag: in his report in which he adverts to the introduction of the representative principle.

I believe it has always been the practice & has always been expected by the Gov<sup>t</sup>. that the Sec<sup>y</sup> of State sh<sup>d</sup>. use his discretion in omitting any portions of their Blue Book reports (marking by asterisks that there is an omission) which he may think it inconvenient for the public service to publish. I think that the excitement of an agitation in Trinidad for representative Gov<sup>t</sup>., w<sup>d</sup>. in reality be as inconvenient for Gov<sup>t</sup>. Elliot himself as for the public service. HM July 24.

JB 25 July to Sir W. Molesworth: The passage which it is proposed to omit touches upon the most delicate & difficult problem of our Colonial administration. If a policy involving considerable changes should be determined upon—the working it out will require the most deliberate reflection & careful preparation both at home & in the separate Colonies. Whatever may be done I w<sup>d</sup> at present avoid anything to encourage premature local agitation.

WM 25 July/55 I agree with Lord John Russell, and think that the paragraph in question ought not to be omitted.

On 20 November the Reform Association's committee, with Anthony Cumming in the chair, adopted a resolution about the governor's proposal to re-impose a two per cent export duty to provide £10,000 for a new hospital and £5,000 to aid in meeting an alleged revenue deficiency. The committee opposed this tax at a time of exigency, as it was unjust to cast a general burden on a special interest. They also thought it impolitic, for if production costs were increased, Trinidad staples could not compete with those of other countries free of such a tax, and especially with slave produce. The committee claimed that the tax was at variance with United Kingdom commercial policy, and violated an understanding that the land tax was imposed in lieu of a former export duty on produce. They passed resolutions opposing further taxation before retrenchment in the public service, which they demanded. When Cumming sent the resolutions to the Colonial Office towards the end of November, he enclosed a schedule of proposed reductions on the estimated expenditure for 1856.<sup>1</sup> In the following month, the West India Committee opposed re-imposition of the export duty.<sup>2</sup>

On 25 December 1855, the chairman of the Association sent two memorials to the Colonial Office. The signatories to the first, 'deeply concerned in the agricultural Interests of the Island', were aggrieved by the duty the Legislative Council had now imposed on staple exports to meet a probable deficit in 1856. The memorialists thought Trinidad's improved prospects, due to a recent increase in the price for its produce, brought hope that the 1856 revenue would exceed that of 1855, 'a year of almost unprecedented agricultural and commercial depression', and that expenditure could be cut without impairing efficiency in the public service. With retrenchment, expenditure would be met from existing revenue, and there would be no need to increase taxes. If higher taxation were needed, all classes should bear it in proportion to their means. An export duty applying to a particular interest to meet a general deficiency was unjust. The petition repeated the committee's disquiet as to the effects of an increase in production costs. The memorialists regretted that unofficial members of Council, who were landed proprietors, had agreed to the duty, but attributed their acquiescence to fear of the consequences of refusal. These unofficial members had argued that Trinidad could not keep up exports without Indian immigration, which might be hindered without more taxes. The memorialists pointed out that immigration was no longer defrayed from general revenue; it supported itself by a rum duty and an indenture tax paid by planters, and there was £36,000 in the fund. In spite of this, only one immigrant ship had come in 1855: '... to be threatened with a suspension of this necessary supply of labour under cover of a flimsy pretext, is a grievance that . . . we cannot endure without complaint.' They claimed that the people were 'altogether unrepresented at the Council Board'. They asked the Colonial Office to direct

<sup>1</sup> Cumming to Labouchere, 24 Nov. 1855 (C.O. 295/190).

<sup>2</sup> Macgregor to Labouchere, 15 Dec. 1855 (*ibid.*).

retrenchment according to a scale submitted by the chairman of the Reform Association, 'elected by the people of this Island'.<sup>1</sup> A second memorial referred to political enfranchisement as 'the greatest blessing which can be conferred on this Colony'. It spoke of the increase in property depreciation in the past ten years to forty per cent.

The governor sent Sir George Grey his views in two private letters on 6 and 8 December 1855<sup>2</sup> 'as an old servant of the Crown in these regions and rather stagnant communities, in which criticism is out of all proportion more plentiful than performance'. Trinidad was, in his view, 'the least British in feeling in the West Indies by many degrees'. He wrote of

those phases of perverse mischief (more or less chronic in these contracted communities) springing from that combination of idleness, extravagant self importance, disregard of the public time, and scramble for notoriety, on the part of a handful of persons, which forms the basis of what passes current under the sounding description of public opinion, in these little societies.

In his long colonial service he had noticed that agitators were mostly people with leisure from lack of success in any pursuit needing steady judgment and decorous behaviour. 'Their real purpose is to get the public finances under their management. Truly influential members of the Community who are steadily occupied, have neither time nor disposition to take an active share in clamorous agitation and indiscriminate abuse.' He advised Sir George Grey that management of the affairs of the borough council of Port of Spain and San Fernando—the two popularly elected bodies of Trinidad—did not inspire confidence in the people's fitness for political privilege. 'The persons into whose hands that privilege would fall, are not at all likely to exercise it liberally as regards the masses of the people, or prudently as regards the finance.' He thought it hazardous to make a change until the immigration liabilities guaranteed by the British Government were much nearer repayment.<sup>3</sup>

<sup>1</sup>Cumming to Labouchere, 25 Dec. 1855 (C.O. 295/190). A. Cumming was chairman, L.A.A. de Verteuil secretary.

In Dec. 1855, Elliot advised that when the customs tariff was increased at the end of 1853, a committee of experienced Council members computed that the extra duties would add about £11,000 to the general revenue, exclusive of immigration. He ascribed disappointment of that hope to great depression in staple prices after higher duties were imposed until the last few months, to the resulting fall in consumption in the island, to cholera in 1854, and particularly the rise in prices in flour and all other produce from the United States during 1854 and 1855. In face of an estimated deficiency of about £7,000 at the end of 1855, after allowing for an extraordinary charge of £4,000 for cholera, he did not feel justified in depending on a large increase of customs revenue in 1856 to meet expenditure and replace part at least of the sums due to the colonial treasury. On 25 March 1856, Labouchere authorized Elliot to reduce and consolidate offices as he could, except for a proposal to abolish the office of inspector of schools. Elliot to Grey, 3 Dec. 1855; Labouchere to Elliot, 25 March 1856 (C.O. 295/189).

<sup>2</sup>Elliot to Grey, 6, 8 Dec. 1855 (*ibid.*).

<sup>3</sup>Elliot to Grey, 8 Dec. 1855 (*ibid.*). In May 1855 Elliot spoke of 12 to 15 years as the period for extinction of the immigration debt. Elliot to Russell, 21 May 1855 (C.O. 295/188). The immigration debt was a time arrangement. Short of

Grey asked Elliot to report on the two memorials from the Reform Association. In January 1856, Elliot wrote:

In a small Community of this description in which a vast majority of the adult population, consisting of persons of mixed races and different tongues and Creeds, were born in a state of slavery, there is necessarily a heavy preponderance of uneducated, dependent and . . . very idle people, living without settled occupation in the Towns, and therefore too easily impressionable by any handful of unscrupulous persons who may seek for their own Ends to practise upon their ignorancies and their Conflicting religious and Caste prejudices.

Elliot reminded the Colonial Office of the increasing Asiatic and heathen population, nearly one-tenth of the whole, 'ignorant of our language and laws, and necessarily subject, till their indentures have expired to what can be little else than a system of modified slavery'.<sup>1</sup> He thought the British Government would consider itself responsible for their protection during indenture, and thereafter enjoyment of the rights and privileges of British subjects. He advised the Colonial Office that 'enlarged and independent public opinion has no existence in this Colony as Yet'. Overruling political power could only be trusted to a strictly responsible agency. On any representation plan yet mooted in Trinidad, political power would fall into the hands of a small irresponsible oligarchy.

Persons who have served as long as I have in Contracted Communities will probably acknowledge, that failing the reality of popular origin and the effective check of intelligent public opinion, the forms and high privileges of popular institutions are . . . mere phraseology, too often serving to carry and maintain anything rather than just legislation.

He pointed out that representative local boards recently established to manage road and other rural concerns were working satisfactorily. These separate areas of local self-management might be gradually consolidated, as tramroads extended, into electoral districts of convenient size and strength of property-holding population, so they might soon form a basis for introducing representation into the Legislative Council. The town councils of Port of Spain and San Fernando were elected.<sup>2</sup>

Henry Taylor minuted that if there were any class represented in the Legislative Council it was the planters, and if they taxed themselves, probably they had no preferable alternative. He thought they would have resisted the governor either on a produce tax or stoppage of immigration had they seen sufficient ground. Labouchere agreed with Taylor's view that in a colony 'governed as Trinidad is governed' and 'owing to the

any amount reduced by sinking fund payments in England, of which the Trinidad government had no exact account, it amounted to £170,000. Elliot to Grey, 21 Jan. 1855 (C.O. 295/187). The Act which guaranteed the interest on the loan to Trinidad was 11 & 12 Vict., c. cxxx.

<sup>1</sup>The last words were underlined in the Colonial Office and a question mark written in the margin.

<sup>2</sup>Elliot to Labouchere, 22 Jan. 1856 (C.O. 295/191).

materials of which the society is composed', representative government was impracticable.

In January 1856, Elliot advised Labouchere privately that in view of the few Europeans and the 'bitter jealousies between the Colored and Black races', there was great need for British protection.<sup>1</sup> He wrote again in February:

As yet there is neither any such fusion of races, or community of feeling and interest amongst the occupants of this Island as would . . . render it otherwise than disastrous to the interests of the body of the people to popularize the institutions in form, whilst it is greatly to be feared they would deplorably deteriorate in spirit.<sup>2</sup>

Taylor minuted about the Reform Association:

. . . with regard to the objection which he makes to communicating with an irresponsible body formed for the purpose of watching & controuling the Gov<sup>t</sup> & Legislature, I think . . . in the absence of a representative polity or of the means of forming one, the educated portion of the Colonists sh<sup>d</sup> not be discouraged f<sup>m</sup>. watching the course of public affairs & expressing their opinions. . . .<sup>3</sup>

On 24 March 1856, Elliot sent Labouchere a further memorial from the Association, which he described as 'an unauthorized association permanently organized for the purpose of watching and controlling the Government and Legislation of the Colony'.<sup>4</sup> This memorial alleged misapplication of special funds to general expenses. In the last eight years, a large debt had been contracted; yet, in face of an empty treasury and shrinking revenue, no steps were taken to protect taxpayers' interests. The memorial expressed 'great and general dissatisfaction' at financial management, and alleged that the Legislative Council had acquiesced in the proceedings criticized, thus showing their inability to control public affairs. The memorialists asked that a commission should investigate finance, and that the people of Trinidad be given a voice in the voting and expenditure of taxes.<sup>5</sup> Labouchere, Ball and Merivale endorsed Taylor's view that this memorial from Cumming and de Verteuil could only be regarded as giving their views as individuals interested in Trinidad's welfare. The Colonial Office was willing to profit by their care for colonial affairs, but they should first send their suggestions to the Council; if they were not satisfied, the Governor should forward them with a report.

Towards the end of March 1856, Elliot reported that the Reform Association had shrunk into meetings of eight or nine unimportant persons. He thought this fortunate, for they had lately had 'disastrous proof in a neighboring colony of the facility and the fatal consequences of exciting an ignorant and impressionable people of mixed races and

<sup>1</sup> Elliot to Labouchere, 24 Jan. 1856 (C.O. 295/191).

<sup>2</sup> Elliot to Labouchere, 7 Feb. 1856 (*ibid.*).

<sup>3</sup> *Ibid.* Minute by H.T., 27 March 1856.

<sup>4</sup> Elliot to Labouchere, 24 March 1856 (*ibid.*).

<sup>5</sup> *Ibid.* The memorial was signed by Cumming and de Verteuil.

creeds'.<sup>1</sup> Change would be hazardous until there was more English blood in Trinidad by immigration from Europe and neighbouring British colonies, and until the colony was nearer to discharging obligations guaranteed by the British Government. He said he had never lived in any colonial society in which responsible control was more needed to protect and elevate all classes, and none in which the grant of popular institutions at that time would be more certain to produce the opposite effects.<sup>2</sup> In the middle of June 1856, he reported that the Reform Association had 'cast themselves into complete discredit amongst the respectable portion of this community by their unscrupulousness of assertion, and violence of abuse'.<sup>3</sup>

On 19 September 1856, A. Cumming, chairman of the committee of the Association, arrived in London. He sent Labouchere a copy of the Association's proceedings, and asked for an appointment.<sup>4</sup> The Association's minutes<sup>5</sup> claimed that the committee had aimed to bring public opinion to bear on the legislature. The minutes spoke of 'the little interest taken in Immigration'. No measures were taken to secure a regular and adequate supply of immigrants, especially after the cholera epidemic; the funds raised for the purpose had been used for other ends, even private interest. The system must be changed to give the people a voice in the voting and expenditure of taxes, and a share in the framing of laws.<sup>6</sup>

Meanwhile the Colonial Office were considering Trinidad finances. In August, Elliot had sent the 1857 estimates to the Colonial Office. He referred to the large probable claim on public funds in 1857 for immigration. Revenue would probably fall below expenditure for immigration in 1857 by £5,000. The Council had undertaken to re-impose the export duty if they learnt before the end of 1856 that they might expect more than 2,000 coolies in 1857. Elliot advised that rum duties and an indenture fee had previously been set aside to meet immigration costs. Not only the duties had been appropriated for immigration liabilities, however, but also the revenues of the colony. Cox of the Colonial Office minuted: 'In fact doing away with a separate Immigration Fund.' With no certainty that 3,000 coolies would come in 1857, and with sufficient financial reserves if

<sup>1</sup>The reference is perhaps to Santo Domingo.

<sup>2</sup>Elliot to Labouchere, 25 March 1856 (C.O. 295/191).

<sup>3</sup>Elliot to Labouchere, 12 June 1856. Private and Conf. (C.O. 295/192). On 9 June he wrote of 'an uneducated and very excitable people'. Elliot to Labouchere, 9 June 1856. Private and Conf. (*ibid.*).

<sup>4</sup>No record of an interview has been found.

<sup>5</sup>Extending from 22 Oct. 1855 to 31 July 1856 (C.O. 295/193).

<sup>6</sup>Cumming to Labouchere, 19 Sept. 1856 (*ibid.*). De Verteuil wrote to W. B. Hume, London, on 25 March 1856: 'As to Immigration, that vital of the Colony [*sic*] as an Exporting Country, you know as well as ourselves to what extent negligence was carried. After a dreadful epidemic had swept off part of the labouring population, only 283 Coolies were introduced last year—and only two vessels are expected, this year, with Immigrants; nothing being attempted to mitigate or to remove the difficulties thrown in the way.' *Min. Proc. Trin. Reform Assoc.* p. 26 (*ibid.*).



2,000 came, Elliot had asked the Council about re-imposition of the export duty. They undertook to re-impose this duty when they knew whether more than 2,000 coolies would come in 1857. Elliot told the Colonial Office of steady improvement in the general and ward revenues due to better trade, good seasons, less expense and gradual development of resources.<sup>1</sup>

In October 1856, Labouchere censured Elliot for the unsatisfactory financial arrangements for immigration during 1857, which involved a possible call on court and savings bank deposits. He pointed out that he should not trench on these deposits except for casual and temporary purposes. Moreover, the credit and solvency of the colonial treasury would be endangered by making financial plans on the assumption that these deposits might be withdrawn to meet financial charges. He regretted that Elliot had not urged on the Council the need either to make more provision for probable expenditure in 1857, or else to reduce that expenditure by reducing the number of Indian immigrants. He instructed Elliot to bring before the Council the need for more provision for immigration in 1857 by re-imposition of export duties. Even with more provision for the cost, he thought less than 3,000 Indians should be sent to Trinidad; otherwise the treasury balance might fall below safe limits.<sup>2</sup>

Meanwhile, on 26 February 1856, Governor Elliot had resigned. When he had left Bermuda for Trinidad in 1854, he had complied with instructions but had not wanted the post, which he now sought to leave. Labouchere acknowledged that Elliot's long tropical services entitled him to relief from more West Indian employment.<sup>3</sup> He was appointed a Knight Commander of the Bath, and R. W. Keate, lieutenant-governor of Grenada, succeeded him as governor of Trinidad. Before he left the colony in October, Elliot sent the 1855 report. He said he had spared no effort to reduce expenditure. The revenue had improved as a result of increased imports and the export duty imposed at the end of 1855. Increased prices for sugar and other staples had helped trade and the prospects of Trinidad.<sup>4</sup>

On his departure from the colony, a number of former slaves presented him with an address which pointed out that during his administration the conduct of the coloured and emancipated class had been peaceable, and that they were 'advancing in education, intelligence, and civilization, thus rendering themselves worthy to obtain and exercise . . . the inherent birthright of British subjects'. In his reply, Elliot remarked that by a

<sup>1</sup> Elliot to Labouchere, 9 Aug. 1856 (C.O. 295/192).

<sup>2</sup> Labouchere to Elliot, 1 Oct. 1856 (*ibid.*).

<sup>3</sup> Labouchere to Elliot, 15 April 1856 (C.O. 295/191). Taylor minuted: 'I was myself the medium of communicating this wish to the D. [*sic*] of Newcastle. Adm<sup>l</sup> Elliotts words were that he w<sup>d</sup> go as a point of duty & in obedience to orders wherever he might be sent, but he wished it to be known that he did not wish to be sent to B. Guiana or Trinidad.'

<sup>4</sup> Elliot to Labouchere, 20 Aug. 1856 (C.O. 295/192). He reported the export of staples to the United States as a new and advantageous feature in the trade of Trinidad.

recent modification of the law, the public rural concerns and funds were managed successfully by local discussion and decision administered by full-time officers under central supervision. Rural ratepayers showed more interest in managing their own affairs. The affairs and finances of the boroughs of Port of Spain and San Fernando were also exclusively under local control. Elliot advised the Colonial Office that the emancipated class had been decorous in trying times, for there had been much 'inflammatory public declamation'<sup>1</sup>. Members of the Legislative Council also presented Elliot with an address on departure. Elliot's reply attributed financial improvement to improved trade, a crop which—next to that of 1854—was the largest exported from Trinidad, less public expenditure, and re-imposition of the export duty in 1856. In his reply to an address from the clergy of the Established Church, Elliot spoke of the value of education in Trinidad, 'with the educated portion of the community almost exclusively engaged in absorbing secular pursuits, with little or no opportunity of intellectual association, and with the laboring classes largely reinforced by heathen races'.<sup>2</sup>

In May 1856, de Verteuil completed his book on Trinidad,<sup>3</sup> part of which he devoted to analysing the 'downward progress'<sup>4</sup> of the colony into 'the abyss of misery'.<sup>5</sup> The causes of that misery he listed as the ruinous price of the staples, due to excessive production and unequal competition, the usurious rate of interest at which the planter was compelled to borrow, and the resulting need to ship his produce to the single market of Great Britain; the influence of former social institutions, and hence the labourers' 'unreclaimed dispositions'; a constant drain of specie to pay for imports and defray the cost of immigration; the low state of agriculture; a defective administration; and 'the present form and condition of our government, which does not admit of the participation of the people in the management of their own affairs'.<sup>6</sup> At the same time de Verteuil thought that constitutional arrangements in 'the chartered colonies'—a term he appears to apply to British West Indian islands with nominated councils and irresponsible elected assemblies—were better suited to those islands than a more liberal system. He did not doubt that, if they were freed from British control, 'prejudice and hatred—engendered by reminiscences of past wrongs, and antagonism of races—would create an effervescence in the body politic' which would rapidly dissolve society.<sup>7</sup>

De Verteuil proposed federation for the Bahamas, Jamaica, Antigua,

<sup>1</sup> Elliot to Labouchere, 7 Oct. 1856 (C.O. 295/192).

<sup>2</sup> *Ibid.*

<sup>3</sup> L.A.A. de Verteuil, *Trinidad: Its Geography, Natural Resources, Administration, Present Condition, and Prospects* (1858).

<sup>4</sup> *Ibid.*, p. 347.

<sup>5</sup> *Ibid.*, p. 404.

<sup>6</sup> *Ibid.*, p. 405.

<sup>7</sup> *Ibid.*, p. 33.

the Virgin Islands, Barbados, the Leeward Islands, Trinidad, Tobago, and Demerara. He regarded the interests of these islands as almost identical: 'They must rise or sink together.' He thought it had become imperatively necessary that they should be 'homogenized' by union with a federal colonial parliament or joint house of assembly of representatives from all the different colonies. One of the first acts of the assembly should be to appoint commissioners to revise the laws of all the colonies, and condense them into a code for the government of the federation. Each colony was to retain control of local administration, particularly finance, taxation and police regulations. 'This confederation would absolutely require the appointment of a governor general, with a responsible council.'<sup>1</sup> At the time of de Verteuil's book, however, West Indian federation was visionary.

Constitutional complaints arose in Trinidad in 1855—the first full year in which Trinidad experienced the effects of free trade in sugar—against a background of depression, uncertainty as to the future prospects in free trade conditions, labour shortage and long-standing financial carelessness in voting estimates exceeding the revenue. In 1854 expenditure had been covered by income for the first time for some years. Unrest led to association and demands for constitutional reform, for which there were earlier precedents. A main radical grievance was the export duty voted by the Legislative Council to meet the cost of immigration at the end of 1855 and again in 1856. Governor Elliot reported improvement in the revenue as the result of its imposition in 1855. So far from recognizing this tax as a legitimate grievance, the Colonial Office sent instructions for its renewal in 1857. The chief justification for complaint against Elliot for financial mismanagement seems to have been his proposal to call on court and savings bank deposits in case of need, and for ordering more Indian labourers for 1857 than colonial finances could well stand. Slowness of arrival of Indian immigrants had been a main radical complaint.

Apart from the immediate issues, which in their insufficient justification seem to have been pretexts rather than wrongs, demands by Trinidad radicals in 1855 and 1856 were apparently influenced by the existence of elected assemblies in the older British West Indian colonies. One factor provoking radicalism may have been personal ambition, a possible stimulant to the activity of de Verteuil among others. A second factor was planter resentment at the failure to secure more Indian labourers to assist their struggle in the new circumstances of free trade. The Colonial Office was little stirred by radical representations; although they expressed genially liberal views, they made no move to give their liberalism immediate practical effect in Trinidad. Considerations of justice to all sections of a multi-immigrant, largely illiterate population, led them to reject pleas for constitutional reform in 1855 and 1856. Change did not come until 1862 when Newcastle approved the addition of two unofficial members to the Council; should the unofficial members negate the official vote by voting

<sup>1</sup>L.A.A. de Verteuil, p. 41.

together habitually, two official votes would be added.<sup>1</sup> The Legislative Council of Trinidad remained a wholly nominated body until 1925.

MARY CUMPSTON

<sup>1</sup>Newcastle to Keate, 3 Sept. 1862 (C.O. 296/25). Newcastle stated in this despatch: '... though they [Her Majesty's Government] have not laid it down as a rule, yet it has been their desire and practice in Trinidad and in other Crown Colonies, on any occasion of disputed expenditure to be guided by the opinion, not of the majority of the Council at large, but of the Majority of the unofficial side of the Council.'

## The Union of Democratic Control during the First World War

THE UNION OF DEMOCRATIC CONTROL was founded on 5 September 1914. On that day, a small number of men, 'united by ties of common sympathies and convictions',<sup>1</sup> met together in order to create a movement whose aim was to work for a durable peace. Four of these men, Ramsay MacDonald, Norman Angell, Arthur Ponsonby and E. D. Morel, appended their signatures to a circular letter which was sent to a number of possible or prospective sympathizers. The letter, addressed from 14 Great College Street, S.W.1, the home of Charles P. Trevelyan, stated that the four signatories proposed to establish a society whose aim was to advocate democratic control of foreign policy, to formulate reasonable peace terms, and to establish direct contact with democratic parties and groups on the Continent, 'so as to form an International understanding depending on popular parties rather than on governments'.<sup>2</sup> This confidential letter, emanating from a group whose aim was public and open diplomacy, did not remain a secret for long, and its publication in a hostile newspaper forced this group of critics into the open.<sup>3</sup>

The inaugural meeting of the Union of Democratic Control was held on 17 November 1914. Apart from the four founders, there were twenty-two people present. They included Bertrand Russell, Henry N. Brailsford, J. A. Hobson, Arthur Henderson, M. Philips Price, Vernon Lee, Charles Trevelyan and Fred Jowett.<sup>4</sup> Such other brilliant men as Fenner Brockway, Philip Snowden, F. W. Pethick Lawrence, G. P. Gooch, Lord Courtney of Penwith, G. Lowes Dickinson, Leonard Woolf, J. M. Keynes, R. Palme Dutt, and Hewlett Johnson either became members or became closely connected with the organization.

Many of the supporters of the UDC had been critical of British foreign policy since before the turn of the century. They denounced imperialism and its concomitant evils of war and secret diplomacy. E. D. Morel was the most effective of these. He was born in Paris in 1873, the offspring, like Hilaire Belloc, of a Franco-British alliance. His father, who was an official in the French Ministry of the Interior, died when Morel was four years old. A year later his mother sent him to England and he was natural-

<sup>1</sup>Morel's speech at the inaugural meeting of the Union of Democratic Control (UDC) on 17 Nov. 1914, in the archives of the Union of Democratic Control, 13 Prince of Wales Terrace, London, W.8.

<sup>2</sup>Original circular letter of 5 Sept. 1914 in UDC archives. See also H.M. Swanwick, *Builders of Peace* (1924), pp. 30-4.

<sup>3</sup>*Morning Post*, 29 Sept. 1914.

<sup>4</sup>Minutes of inaugural meeting, UDC archives.

ized in 1896. While working for a shipping firm, Elder Dempster & Company of Liverpool, he became aware of the frightful oppression in the Congo, took up the cause of the persecuted Africans and in a long campaign was successful in forcing the Belgian government to improve their condition.<sup>1</sup> This success gave him boundless confidence and too much arrogance and he became a professional critic. A few years before the war he set out on his life work of denouncing secret diplomacy. According to his first biographer, F. Seymour Cocks,<sup>2</sup> as public feeling in support of Congo reform grew, Morel became aware that the reluctance of the Foreign Office to move in the direction to which the public was urging it, was due to fear lest action on its part should disturb the delicate balance of international relations based mainly on secret agreements. From this modest beginning Morel went on to denounce the Anglo-French deal over Morocco, and eventually the whole basis of British foreign policy.<sup>3</sup>

Morel was a fanatic with absolute faith in the righteousness of his cause and completely fearless. He was stubborn and unwilling to yield or to take account of other people. A brilliant orator, journalist and propagandist, he also had the useful gift of extracting money out of rich men for his various movements without at the same time sacrificing the independence of these movements. As secretary of the UDC he ran the organization with considerable success. Indeed, he was the UDC. Moreover he was a practical politician. For years he had studied questions of foreign policy until he became more than a critic and could put forward an alternative foreign policy, and perhaps saw himself as the foreign minister of the new age of 'clean' diplomacy. Certainly he was deeply disappointed when MacDonald failed to make him either Foreign Secretary or Colonial Secretary in 1924.

Morel wasted no time in publishing his aims. In a letter to the Birkenhead Liberal Association on 4 August 1914 resigning his parliamentary candidature, he said:

The blood of our gallant sons is poured out today as the immediate consequence of the outrage committed upon Belgium. But the time will come when the country will ask those in authority this question: 'What did you do to *prevent* that outrage?' For my part I put that question now, and I find the answer in an autocratic foreign policy to which I have been consistently opposed, and which I intend to help in rooting out of our national life.<sup>4</sup>

At a time when the majority of Englishmen were outraged by German aggression and brutality, it showed considerable courage to ask such a question. Everyone put the onus of the war on Germany. Only Morel and the small group of men around him dared ask whether other factors

<sup>1</sup>E. D. Morel, *King Leopold's Rule in Africa* (1904), *Red Rubber* (1905), *Red Rubber: The Story of the Rubber Slave Trade flourishing on the Congo in the year of Grace 1907* (1907), *England and the Congo—a moral crisis* (1909) and others.

<sup>2</sup>F. S. Cocks, *E. D. Morel, the Man and His Work* (1920), p. 176.

<sup>3</sup>Morel, *Morocco in Diplomacy* (1912).

<sup>4</sup>Morel, *The Outbreak of War* (1914), p. 10.

might not also have brought about a situation which made German aggression possible.

The UDC had a charter of four points:

1. No Province shall be transferred from one Government to another without the consent, by plebiscite or otherwise, of the population of such province.

2. No Treaty, Arrangement, or Undertaking shall be entered upon in the name of Great Britain without the sanction of Parliament. Adequate machinery for ensuring democratic control of foreign policy shall be created.

3. The Foreign Policy of Great Britain shall not be aimed at creating Alliances for the purpose of maintaining the 'Balance of Power'; but shall be directed to the establishment of a Concert of Powers and the setting up of an International Council whose deliberations and decisions shall be public, part of the labour of such Council to be the creation of definite Treaties of Arbitration and the establishment of Courts for their interpretation and enforcement.

4. Great Britain shall propose as part of the Peace settlement a plan for the drastic reduction by consent of the armaments of all the belligerent Powers, and to facilitate that policy shall attempt to secure the general nationalization of the manufacture of armaments, and the control of the export of armaments by one country to another.<sup>1</sup>

In 1917 a fifth point was added. The UDC had become disturbed by the plans of those, like the Australian premier Hughes, who hoped to turn the war-time alliance of the Entente powers into a permanent economic alliance after the war.

The European conflict shall not be continued by economic war after the military operations have ceased. British policy shall be directed towards promoting free commercial intercourse between all nations and the preservation and extension of the open door.<sup>2</sup>

A number of radicals, and among them Morel, had for years been disturbed by the net of alliances which the powers had been weaving around Europe and they believed that simply the existence of these commitments, especially the British commitments to France resulting from the Entente Cordiale, was one of the causes of the war. The *Westminster Gazette*, the great Liberal evening paper, cried out in despair two days before the outbreak of war.

The spectacle of Europe being driven by the hard logic of its diplomatic system to a struggle which no one wants and a catastrophe which everyone foresees has no historical analogies and none of the glittering accessories which we associate with the idea of nations going forth to war. Three hundred million people today lie under the spell of fear and fate. Is there no one to break the spell, no gleam of light on this cold, dark scene.<sup>3</sup>

Just as secret diplomacy was evil—it was depicted in a famous UDC cartoon as a number of masked men in military uniforms sitting around a table with death as croupier gambling for the lives of men<sup>4</sup>—so was the

<sup>1</sup>Morel, *The Morrow of the War* (no date), pp. 1-2.

<sup>2</sup>Cocks, p. 225.

<sup>3</sup>1 Aug. 1914.

<sup>4</sup>Supplement to *The U.D.C.*, ii, no. 4 (Feb. 1917). As from Nov. 1915 the UDC published a monthly journal, *The U.D.C.* Its name was changed to *Foreign Affairs* in July 1919.

balance of power. This feeling of suspicion had a long tradition in what one may call the Liberal view of foreign policy. Already during the Midlothian campaign, Gladstone had announced that it was the aim of British foreign policy to cultivate to the utmost the Concert of Europe because you could thus neutralize and fetter the selfish aims of each and because common action alone could unite the great powers for the common good. It is for such reasons that the UDC and those who thought as it did, believed in the abolition of the balance of power which received a tangible expression in the idea of the League of Nations. The opposition to the concept of the balance of power and to secret diplomacy was so strong because the UDC believed that such institutions and such habits received, after a time, an impetus of their own, and were thus difficult to control. They were the Frankensteins of modern diplomacy. Of course the whole frontal attack on these two concepts was a natural reaction for men brought up in the era of splendid isolation. If there was one thing that most Conservatives and most Liberals agreed on during the nineteenth century it was that Britain should avoid needless and entangling engagements with European powers.

Point one of the programme was the one most frequently disregarded by the UDC itself. To a certain degree it was a sop to the prevailing belief in the justice of national sovereignty. The UDC tended to picture the Powers as they had been at the Congress of Vienna, when provinces were moved about in order to seek protection against France without the very slightest regard being paid to the wishes of the populations.

Disarmament was advocated not only because it was believed that armaments were a cause of war, but because in the process of military preparation civil liberties were likely to be endangered. Moreover it was taken as axiomatic that armament manufacturers thrived on and therefore wanted war.

The last point of the UDC charter was only added later in the war. It had struck a number of British businessmen, especially those who had before the war felt the pinch of German economic competition, that the war had given them the opportunity to rid themselves for ever of this rivalry by creating an economic alliance for the exclusion of German trade. To those who had been brought up on the creed of free trade and the belief that the free interchange of goods promoted peace, such views were anathema.

Yet all this was not an extremist programme and many non-UDC men would have subscribed to it, but the background to these ideas was more radical. First of all the UDC had no intention of allowing itself to be driven into hatred of Germany, and though it hastened to inform the public that Germany was by no means sinless, it left an impression upon public opinion that Germany had been more sinned against than sinning. 'It takes two to make a quarrel', said Charles Trevelyan, 'even if one of the two is the most quarrelsome.'<sup>1</sup> Morel, indeed, was warned to moderate

<sup>1</sup> *The U.D.C.*, i, no. 10 (Aug. 1916).



his tone, but with no success.<sup>1</sup> He was hardly the man to do this: he was much too obstinate and authoritarian and tended to be carried away in the heat of the argument. In any case he genuinely believed that Germany was no more a criminal than Britain and certainly less so than Russia and France. Britain's inability to come to terms with Germany was due to the British assault on the Moslem states, above all Persia and Egypt, as a result of the alliance with France and Russia. The imperialism of these powers required the destruction and absorption of the Moslem states. Russia wanted empire not to secure free markets, but in order to extend the power of a tottering dynasty. France wanted empire to monopolize undeveloped markets. German imperialism was economic and required the preservation of these states as a fruitful field for German economic expansion on the basis of the 'open door'. German imperialism was thus similar to British imperialism in the Victorian era, and British policy should therefore have worked towards friendship with Germany and not enmity. But that attitude had been undermined by the fears of powerful commercial and social groups concerned in the revival of protection which was provoked by the success of German economic progress.<sup>2</sup>

It was, of course, J. A. Hobson's study of imperialism<sup>3</sup> which convinced the radicals that imperialism caused war, and Britain, France and Russia, possessing the greatest colonial empires, were naturally more guilty than Germany, whose colonial possessions were insignificant in comparison to the empires of the Entente powers.

The UDC believed that a Germany that had been crushed and had been forced to accept allied terms would prepare for another war. 'But even the knock-out blow is not—in the prize-ring—final. The knocked-out pugilist returns to fight another day,' as Israel Zangwill put it.<sup>4</sup> Holding such views it was natural that the UDC should oppose the war and work for a speedy end to hostilities. Therefore it was opposed to such aims as the diamemberment of the Habsburg and Turkish empires because such aims were an unwarranted extension of the war. This attitude was partly motivated by hostility to Russia and the fears that those states that might arise from the dead bodies of Austria-Hungary and Turkey would be Russian satellites. 'How can any sane Englishman', wrote Morel to the Birkenhead Liberal Association

contemplate with anything but horror the shattering of German civilisation, so akin to our own, towards which the world stands so immeasurably indebted, and the overrunning of the plains of Europe by the vast hordes of a semi-Asiatic power, uncomprehending, irresponsible, driven in blind unreasoning acquiescence at the behests of a military autocracy whose ambitions are as limitless as its hatred of democracy is inveterate?<sup>5</sup>

<sup>1</sup>R. Wuliger, 'The idea of economic imperialism, with special reference to the life and work of E. D. Morel', unpublished Ph.D. thesis (London, 1953), pp. 341-2, 354.

<sup>2</sup>*Foreign Affairs*, i, no. 9 (May 1920).

<sup>4</sup>*The U.D.C.*, ii, no. 3 (Jan. 1917).

<sup>3</sup>J. A. Hobson, *Imperialism* (1902).

<sup>5</sup>Wuliger, p. 328.

Such language expressed the sentiments of radicals. It was Russia that was the great enemy of freedom and democracy. It was Russia that oppressed and murdered its subjects. Compared to the Russian system of government that of Germany was the purest democracy. The Czar was a tyrant, the 'Cossack ravisher of women', as the *Labour Leader* put it in rather colourful language.<sup>1</sup> Even Margot Asquith, a rather foolish woman admittedly, said shortly before the outbreak of war and after a visit by the Russian ambassador, that 'Britons, Britons, never will be Slavs'.<sup>2</sup>

Throughout the war the UDC feared that an insistence on the dissolution of Austria-Hungary would immeasurably prolong the war and be that knock-out blow which would destroy the chances of a lasting peace. The Dual Monarchy presented in the last few years of its existence a more formidable aspect than was justified by its internal condition. Those who wanted to destroy Austria-Hungary were seen as callous men deliberately increasing suffering. Such feelings were especially prevalent after the events at the end of 1916 and the beginning of 1917. The various peace notes and the reforms within the Dual Monarchy after the death of Francis Joseph were all welcomed by the UDC. They all seemed to be an indication that Austria was being liberalized and that the nationality question could be solved within the framework of the monarchy. Moreover these events came at a time when war weariness was gripping the peoples of all the belligerent countries. Everyone was seeking a way out of the impasse, and as total victory for either side seemed outside the realms of possibility, a negotiated peace was the only answer. But as a result of the allied note to President Wilson of 10 January 1917, in which the allies mentioned as part of their aims the liberation of the Slavs and the Czechoslovaks, the UDC believed, or pretended to believe, that only the desire to destroy the monarchy was preventing an end to the war. The aims of the allies were ambitious schemes, wrote *Common Sense*, a weekly close to the UDC, 'which would have staggered Alexander, or Caesar, or Napoleon or any of the great conquerors of the past'.<sup>3</sup> The passage in the allied reply relating to the subject nationalities of the Habsburg monarchy, the UDC maintained, had done more than anything else to strengthen the extreme and weaken the moderate elements among the central powers. Not even the most extreme jingo could believe in a solution on such lines as these. Morel quoted approvingly a German newspaper which had described the allied note as having 'barricaded every road which might lead to conciliation'.<sup>4</sup> Arthur Ponsonby wanted to know whether the war had now become a war of aggression.<sup>5</sup> Seymour Cocks, later to be Morel's

<sup>1</sup> 16 Aug. 1914.

<sup>2</sup> Emma A. M. Asquith, countess of Oxford and Asquith, *The Autobiography* . . . (1920-2), ii. 163.

<sup>3</sup> 10 Nov. 1917.

<sup>4</sup> *The U.D.C.*, ii, no. 4 (Feb. 1917).

<sup>5</sup> *Ibid.*, no. 5 (March 1917).

biographer, poured ridicule on the claims of one of the subject nationalities of the Habsburgs:

Then we come to the Tchecko-Slovaks, for whose claims to independence, as is well known, the British people marched enthusiastically to war in August, 1914!<sup>1</sup>

Dismemberment of the monarchy would greatly prolong the war. Moreover it was misleading to suppose that militarism could defeat militarism. Satan could not cast out Satan. If Germany were crushed, Austria and Turkey dismembered, Germany would intrigue for the recovery of her old power.

A settlement which, by numerous annexations and the violent destruction of ancient institutions like the Dual Monarchy, left on the mind of this generation and the next the impression that armed force is a tremendous instrument for the achievement of political change might not be the best preparation for an era of peace. The impression which we presumably wish to produce in the German mind is that aggression does not pay. The German mind may not draw that conclusion, for it has been fighting in what it took to be a defensive war. The facts might suggest a different moral—that to be very rich, to have a supreme Navy, to gather many Allies round oneself emphatically does pay.<sup>2</sup>

Up to the time of the Russian Revolution, Brailsford, the spokesman of the UDC on all east European questions, opposed the disruption of the monarchy because the succession states would necessarily be Russian satellites, their independence won by the Russian steam-roller. The revolution did not make the UDC change its view. The independence of the subject nations was now impossible, it said, for the Russian democracy rejected a war of annexation, and in any case, without the Russian army, now out of action, a complete allied victory was impossible. Moreover with the collapse of Czarism the whole *raison d'être* of the war had disappeared. The central powers had gone to war out of fear of Russian imperialism; that danger having passed there was now no obstacle to peace. Along these lines of thought the UDC even explained the rapacious treaty of Brest-Litovsk as due to the intransigent attitude of the western powers.<sup>3</sup> One cannot help feeling that the UDC used the supposed aims of the Entente in eastern Europe as a subterfuge in order to avoid facing the unpleasant fact that the Germans were unwilling to agree to any peace terms even remotely acceptable to the allies. The UDC argued that the very fact that the Germans had not achieved victory in 1914 was by itself a defeat. If the allies would sign peace with the Germans the German people would themselves deal with their jingos, for a military class which could not win victories was superfluous.<sup>4</sup> Furthermore, the UDC was in no doubt as to the effect that the war was having on Britain. It was turning Britain into a militaristic and authoritarian state. The UDC never tired

<sup>1</sup>*The U.D.C.*, ii, no. 5 (March 1917).

<sup>2</sup>H. N. Brailsford, *A League of Nations* (1917), pp. 89-90.

<sup>3</sup>*The U.D.C.*, iii, no. 7 (May 1918).

<sup>4</sup>Speech by C. R. Buxton, reported in the *Manchester Guardian*, 20 Nov. 1915.

of complaining about the 'Prussians in our midst', armed with the notorious Defence of the Realm Act. Only a speedy end to the war could save British democracy.<sup>1</sup>

Much of the activity of the UDC was a reaction of those who were revolted at the horror of war. War in South Africa, on the Indian frontier, in the Balkans, revolution in China, were sufficiently disturbing, but that modern civilized Europe should propose to tear itself to pieces was a tragedy, not merely because of the physical suffering that it brought in its train, but also because it shattered faith in human progress and reason. G. Lowes Dickinson in his 'Recollections', which E. M. Forster used as the basis of his memoir of him, spoke of this disintegration of civilized living at the hands of a 'grim obscene power'.

To me the worse kind of disillusionment was that connected with universities and historians. Hardly a voice was raised from those places and persons to maintain the light of truth. Like the rest, moved by passion, by fear, by the need to be in the swim, those who should have been the leaders followed the crowd down a steep place. In a moment, as it were, I found myself isolated among my own people. When I say isolated, I do not mean in any sense persecuted. I suffered nothing in Cambridge except a complete want of sympathy. But I learned once for all that students, those whose business it would seem to be to keep the light of truth burning in a storm, are like other men, blindly patriotic, savagely vigilant, cowardly or false when public opinion once begins to run strong. The younger dons and even the older ones disappeared into war work. All discussion, all pursuit of truth ceased as in a moment. To win the war or to hide safely among the winners became the only preoccupation. Abroad was heard only the sound of guns, at home only the ceaseless patter of a propaganda utterly indifferent to truth.<sup>2</sup>

In spite of point one of its programme the UDC was hostile to the claims of nationality. At a time when the rights of nationality were considered sacred and when most Englishmen accepted the teachings of John Stuart Mill, the UDC looked to another tradition. It looked to Lord Acton, who in his famous essay maintained that the claims of nationality would subvert liberty. Indeed, the *Cambridge Magazine*, a weekly journal particularly close to the UDC, claimed that radical ideas on foreign policy were popular in Cambridge because of the influence of their late Regius Professor of history.<sup>3</sup> Lowes Dickinson discerned in the history of Europe a turning-point that marked the defeat of the ideal of a world order and the definite acceptance of international anarchy. That turning-point was the emergence of the sovereign state at the end of the fifteenth century, and 'it is symbolical of all that was to follow that at that point stands, looking down the vista of centuries, the brilliant and sinister figure of Machiavelli'.<sup>4</sup> To Norman Angell, the history of nationalism in Europe was the story of intense emotional fervour supporting false moral

<sup>1</sup>Norman Angell, *The Prussian in our midst* [1915].

<sup>2</sup>E. M. Forster, *Goldsworthy Lowes Dickinson* (1938), p. 162.

<sup>3</sup>*Cambridge Magazine*, iv, no. 21 (15 May 1915).

<sup>4</sup>G. L. Dickinson, *The European Anarchy* (1916), pp. 9-10.

values: false in the sense that the claimants to the right of nationalism were not prepared, because the nature of the claim itself forbade it, to accord an equivalent right to others; and false also because an absolute and unqualified 'good' was put forward which in its absolute form made human society impossible.<sup>1</sup> To Brailsford the current vogue of nationalism seemed to be a dangerous disease, a neurosis in the mind of man. He looked with alarm at the splitting up of Europe into smaller and ever smaller units. Nationality was not in itself an evil, on the contrary it had much to offer the world, but recklessly stated, it was an inspiration to anarchy and individualism. It threatened the dissolution of all ties of culture and common work which bound men together. It involved the denial of all the discipline which made for common work and co-operation. It promoted the rending and dissolution of civilized life built on centuries of common effort. It imperilled all international co-operation.<sup>2</sup>

For the same reason the UDC was not perturbed at the German plans of *Mittleuropa* and *Berlin-Bagdad*, schemes which terrified public opinion in England. It argued that with the advance of all nations to something like a common level of economic civilization, resting upon a capitalist basis, the competition for the diminishing number of unappropriated lands and profitable areas of exploitation became keener. The only way round this difficulty was free trade and then German expansion, divested of discriminatory tariffs, would lose its impetus. To Brailsford, it seemed that the satisfaction of nationality in Europe, the cardinal war aim of the allies, could be achieved by home rule, and in return the allies should allow German economic and political predominance in Turkey. He saw no reason why a German Turkey should be a greater menace to the world's liberty than a British India.<sup>3</sup> *Mittleuropa* was a typical product of the age, neither good nor bad. 'Everyone', Brailsford said, 'who thinks at all has realised since the war, if not before it, that the day of the isolated nation, the lonely individual state, hugging its sovereignty amid other nations equally lonely and equally independent, has gone past, never to return.' And he concluded that the war was not a conflict between nationalists and internationalists but rather between those who sought securities for the weak in some general structure like the League of Nations, and those who preferred to develop the existing rival groups of powers into closer and more organic alliances. *Mittleuropa* was not peculiar to Germany. Britain's entry into the continental system in 1904, with the signing of the Entente with France, was not an accident but submission to a historical law. After all it was Cecil Rhodes who bade the English think in continents.<sup>4</sup>

<sup>1</sup>'The ideas which are the foundations' in *International Affairs* (1924), 15, issued by the National Adult School Union.

<sup>2</sup>H. N. Brailsford, *After the Peace* (1920), p. 60.

<sup>3</sup>*Labour Leader*, 6 Dec. 1915.

<sup>4</sup>H. N. Brailsford, 'The shaping of mid-Europe', *Contemporary Review*, cix (1916), 338-49.

Moreover, many members of the UDC had fallen under German cultural influence. In this they were typical of intellectuals before the war. 'I will not . . . disown', wrote one of its members, 'the intellectual debt which I owe to Germany and its great Universities, which in happier times have also afforded me a home and a welcome.'<sup>1</sup> To them *Mitteleuropa* was no terrifying plot, because it allowed for the diffusion of German cultural influence to 'primitive unschooled races, not indeed without their own charm and emotional genius' but completely unfitted to rule themselves.<sup>2</sup> The Serbs were barbarians and the Jugoslavs were 'the latest novelty from Ruritania',<sup>3</sup> while the Czechs were gravely informed that they would be allowed to rule themselves as soon as they had learnt how to rule.<sup>4</sup> In this context the attitude of the *Cambridge Magazine* is instructive. The UDC was properly horrified at the bargain which brought Italy into the war and according to which she was promised territorial gains which would hand over a million Jugoslavs and Germans to her rule.<sup>5</sup> The *Cambridge Magazine* was not. It took up the case of Italy in a crusading spirit. The Italians were the torch bearers of civilization and for the sake of civilization one had to support their claims at the expense of the Yugoslav majority of Dalmatia. How could any man sensitive to the arts and to learning surrender Roman and Venetian treasures to uncultured and unsympathetic peasants?<sup>6</sup>

The influence of the UDC increased in ratio to the losses suffered in the war. Its early meetings were broken up and its speakers assaulted<sup>7</sup> and it became the victim of official persecution. Morel himself was sent to prison on what was practically a trumped-up charge.

The UDC sought to extend its influence both among intellectuals and in the ranks of organized labour. It was itself a society of intellectuals and it tried to recruit all those who had opposed the war but who had been driven into the war party by the German violation of Belgian neutrality. In this it received much help from the *Cambridge Magazine* which had started publication in 1912 as a rival to the *Cambridge Review*.<sup>8</sup> Its editor was C. K. Ogden, the inventor of Basic English, who wrote under the pseudonym of Adelyne More (= add a line more). Violet Paget (Vernon Lee), Bertrand Russell, and Lowes Dickinson were frequent contributors. At one time the *Cambridge Magazine* had a circulation of 25,000, a

<sup>1</sup>Professor E. V. Arnold of Bangor in the *Cambridge Magazine*, vi, no. 24 (9 June 1917).

<sup>2</sup>Brailsford, *After the Peace*, pp. 22-3.

<sup>3</sup>*Cambridge Magazine*, vi, no. 8 (2 Dec. 1916).

<sup>4</sup>*Ibid.*, no. 11 (3 Feb. 1917).

<sup>5</sup>Brailsford in the *New Republic* (New York, 26 June 1915), F. Seymour Coombs in *The U.D.C.*, iii, no. 5 (March 1918) and C. R. Buxton, *The Secret Agreements* (1918).

<sup>6</sup>*Cambridge Magazine*, iv, nos 21, 24, 25 (15 May, 5, 12 June 1915).

<sup>7</sup>See Lord Russell's description of such a meeting in *Portraits from Memory* (1956), pp. 32-3.

<sup>8</sup>The first public meeting of the UDC was held in Cambridge on 4 March 1915. See *Cambridge Magazine*, iv, no. 16 (6 March 1915).

remarkable achievement for a university magazine.<sup>1</sup> The *Cambridge Magazine* had one novel feature. Dorothy, wife of Charles Roden Buxton, edited, with the help of an expert group of translators, a weekly review of the foreign press designed to show that there were plenty of sane and moderate men in enemy countries and that the knock-out blow was not the only way to achieve peace. So popular did this feature become that it had to be continued as a special edition in the university vacations—the *Cambridge Magazine*, being a university journal, was of course not published in the vacations. Dorothy Buxton's review was read throughout left-wing circles in the country and formed their main, if not their only insight into the life of neutral and enemy countries. In this respect the influence of the *Cambridge Magazine* cannot be exaggerated.

There were other recruits to the ranks of the UDC. Norman Angell's weekly *War and Peace*, and the labour journals, the *Daily Herald* and the *Labour Leader*, were supporters of the UDC.<sup>2</sup> The *Nation*, the *Manchester Guardian*, the *Daily News* and the *Westminster Gazette*,<sup>3</sup> though in no sense UDC organs, did give support to some of its aims once they became convinced, at the end of 1916, that the war of attrition could not bring a conclusive peace. A rather striking success was the publication of a new weekly in October 1916 called *Common Sense*. The very title of this publication was significant for those who claimed to be the 'rational party'. Its editor was Francis Hirst, who had been until 1915 the editor of the *Economist*. *Common Sense* was the right wing of the anti-war campaign and it found its main support in the City. Indeed, it was only the *Morning Post*, the *Pall Mall Gazette*, and the *Globe* which remained quite insensible to the appeal of a democratic foreign policy.

The second main group of supporters came from the trade unions and the ILP. Apart from accepting membership from individuals the UDC also accepted affiliated membership from societies, clubs and above all trades councils and local branches of the ILP. In 1915 it appointed a special commissioner for propaganda in the Labour party and the trade unions and others were appointed later.<sup>4</sup> As a result of this system the membership of the UDC increased swiftly. At the inaugural meeting it already had 5,000 members, mainly from 20 local branches of the ILP and 12 National Adult School Unions and trade union branches.<sup>5</sup> A year later it had 300,000 affiliated members.<sup>6</sup> By the end of the war 300 bodies of organized labour, with a membership of three-quarters of a million, were affiliated to it.<sup>7</sup> Charles Trevelyan put the figure somewhat lower in 1919.

<sup>1</sup>I. A. Richards, 'Some recollections of C. K. Ogden', *Encounter*, ix (1957), 11.

<sup>2</sup>Edited by C. E. Fayle, Philip Snowden and Fenner Brockway respectively.

<sup>3</sup>Edited by W. H. Massingham, C. P. Scott, A. G. Gardiner and J. A. Spender respectively.

<sup>4</sup>Minutes of General Council meeting, 22 June 1915 in UDC archives. See also Swanwick, pp. 51-2.

<sup>5</sup>Minutes of the inaugural meeting, UDC archives. See also Swanwick, pp. 33-4.

<sup>6</sup>*The U.D.C.*, i, no. 1 (Nov. 1915), Supplement, p. 2.

<sup>7</sup>*Ibid.*, iv, no. 2 (Dec. 1918).

He said that the UDC had 58 branches and another 69 affiliated bodies which alone had a membership of 599,416.<sup>1</sup> In 1920 its membership was 150,000 and its affiliated membership was over a million.<sup>2</sup>

The UDC did not remain unaffected by this massive intrusion of labour. In November 1917, appealing to new readers, it said:

The interests of the peoples is [sic] always in peace; the interests of autocratic rulers and the privileged class who surround them may sometimes be in war, or, at any rate, in the bluff out of which war comes. Steps must, therefore, be taken to secure that the interests of the peoples prevail.<sup>3</sup>

In spite of such announcements, and there were many of them, the UDC retained, at least during the war, its independence. Its leaders were radicals, not socialists. On the other hand many of them—Morel, Angell, Trevelyan, the Buxtons, for instance—joined the ILP either during or after the war, because of the bankruptcy of Liberal foreign policy especially under Lloyd George. It was easy for them to do so because on foreign policy the Labour party and the Trades Union Congress copied their programme from the UDC. Indeed the statement on war aims, issued by the Labour party and the Trades Union Congress on 28 December 1917 was indistinguishable from the UDC programme. Of course, the leadership of the UDC found it difficult to stop the drive to the left even if it had wanted to do so. A resolution demanding the elimination of private profit was proposed but not seconded at a General Council meeting.<sup>4</sup> On another occasion the Gloucester branch received permission to affiliate to the local branch of the Labour party.<sup>5</sup>

To the end of 1916 the UDC remained, in spite of its increased membership, an insignificant group. From then on its influence spread rapidly. There seemed no end to the ghastly massacres on the western front. Conscription took the idealism out of the war. The Russian Revolution seemed full of promise for an end to the war, while the diplomatic atmosphere of Europe was electrified by peace notes and peace proposals. The publication in the last months of 1917 and the first months of 1918 by M. Philips Price in the *Manchester Guardian* of the secret treaties, which Trotsky had grandiosely consigned to the dustbins, strengthened the cries for democratic foreign policy. It also pointed to the equal guilt of all the belligerents.

The atmosphere was changing and the UDC was well aware of it. It wrote in September 1917 in its monthly journal:

The tide is turning against the false brutal ideals which have held sway during the past three years; the tide is turning against the notion that physical force is everything, that right and justice are of small account. The tide is turning

<sup>1</sup>C. Trevelyan, *The Union of Democratic Control, its history and its policy* (1919).

<sup>2</sup>Minutes of General Council meetings, 24 Apr., 12 Nov. 1920, UDC archives.

<sup>3</sup>*The U.D.C.*, iii, no. 1 (Nov. 1917).

<sup>4</sup>Minutes of executive committee meeting, 15 Dec. 1917, UDC archives.

<sup>5</sup>Minutes of executive committee meeting, 26 March 1918, UDC archives.



towards democracy and against the suppression of liberty. The tide is turning in favour of the idea that a permanent peace can only be secured by fair treatment of all concerned. We have swum hard against the tide, undismayed by the buffetings of the waves; we have now to swim with vigorous and steady strokes, the tide helping us on, until we reach our goal.<sup>1</sup>

The UDC was not wrong and the general feeling of depression was used by Lord Lansdowne to send his famous letter to the *Daily Telegraph* on 29 November 1917. The letter, so similar to his memorandum to the cabinet of 3 November 1916, argued for a negotiated peace on the grounds that the destruction of western civilization was the danger present in continuing the war. He suggested that the responsibility of those who needlessly prolonged the war was hardly less than of those who needlessly provoked it. Rather to his surprise this arch-reactionary Irish landowner became the hero of the radicals and the socialists. They evidently expected to impose their views by the aid of his considerable influence and his eminent respectability.

From then on victory seemed assured. Support was coming from all sides and the greatest support of all came from America. The UDC was not wholly happy about American intervention in the war but it was devoted to Wilson. President Wilson was opposed to secret diplomacy, to the balance of power, and he was convinced that there was little to choose as far as wickedness was concerned between the two groups of belligerents. Moreover he wanted to set up a League of Nations. These were all principles which the UDC held and rather childishly it claimed President Wilson as its man and maintained that he had adopted the policy of the UDC.<sup>2</sup> Yet it was force of arms which decided the issue<sup>1</sup>—indeed, the war of attrition which the UDC had so often condemned proved in the long run successful. The UDC had lost its war against war and now turned to the new task of achieving a just peace.

From 1914 to 1918 the UDC programme was a protest against the senselessness, brutality and hysteria of the war. The democratic control of foreign policy was, like the other aims, a means to this end. Morel summed up this situation with words of passionate indignation:

Europe totters to ruin amid the bones of her dead, to the imbecile patter of her statesmen, proclaiming the purity of their motives while the peoples perish. And for what? What conceivable military successes on either side can compensate for the havoc which has been wrought, and for the further havoc which lies ahead if this thing is to go on? What is the value of ideals when preached in a graveyard?<sup>3</sup>

H. HANAK

<sup>1</sup>*The U.D.C.*, ii, no. 11 (Sept. 1917), 127.

<sup>2</sup>*Ibid.*, iv, no. 1 (Dec. 1918), 276. See also *The Union of Democratic Control to President Wilson* (1918), a reprint of a memorandum which the executive committee of the UDC sent to Wilson on 21 Dec. 1917.

<sup>3</sup>*The U.D.C.*, iii, no. 10 (Aug. 1918), 249.

## Notes and Documents

### *An English endowment for the Collège Saint-Bernard*

AMONG THE Harleian charters in the British Museum are a number of original papal *acta* from the archives of the Cistercian abbey of Rufford.<sup>1</sup> Three of these throw light on the efforts of an Englishman to provide an endowment for Cistercian monks studying theology at Paris university. None of the documents was entered on the papal registers or was known to Potthast. In this there is nothing surprising since it was not the practice of the papal chancery to register *litterae communes* except at the request of the recipient and on payment of a fee.<sup>2</sup> One of the letters, a bull of Nicholas IV, has an endorsement of the fifteenth century to the effect that it had been enrolled at the exchequer on the roll of the King's Remembrancer for the year 1 Henry V (1413/14). In that year an act of parliament completed the long drawn out process by which alien religious houses were expropriated of their English possessions.<sup>3</sup> In pursuance of the act, the escheator seized the lordship and church of Rotherham into the king's hand on the ground that the property was farmed for the alien monastery of Clairvaux.<sup>4</sup> The farmers of the church were the abbot and convent of Rufford and in due course Abbot Nicholas of Rufford appeared at the exchequer in person to make good his title. He had an interesting tale to tell, and in support of it he produced all save one of the documents printed below, which were enrolled upon the memoranda roll.

The main facts of the establishment of the Collège St. Bernard for Cistercians studying at Paris are, at least in outline, sufficiently known.<sup>5</sup> The enterprise was approved by the general chapter of the order in 1245. The

<sup>1</sup>Listed by H. Idris Bell, 'Original papal bulls and briefs in the Department of MSS. of the British Museum', *Eng. Hist. Rev.*, xxxvi (1921), 393-419, 556-83, nos. 9, 10, 20, 62, 64, 66-7, 75, 83, 86, 99, 100, 103, 121, 128, 134, 143-4, 161-2, 181, 185-8, 207, 209; see *Papsturkunden in England*, ed. W. Holtzmann (1930-52), i. 173-4, and nos. 62, 80, 160, 170.

<sup>2</sup>M. Tangl, *Die päpstliche Kanzleiordnungen von 1200-1500* (1894), pp. 46, 66, n. 6.

<sup>3</sup>M. M. Morgan, 'The suppression of the alien priories', *History*, xxvi (1941), 204-12.

<sup>4</sup>*Cal. Pat. Rolls 1413-16*, pp. 366-7; *Cal. Close Rolls 1413-19*, p. 290.

<sup>5</sup>G. Müller, 'Gründung des Bernhardkollegiums zu Paris', *Cistercienser Chronik*, xx (1908), 1-14, 38-50; E. Kwanten, 'Le Collège Saint-Bernard à Paris', *Revue d'histoire ecclésiastique*, xliii (1948), 443-72; C. H. Lawrence, 'Stephen of Lexington and Cistercian university studies in the thirteenth century', *Jour. Eccles. Hist.*, xi (1960), 164-78.

planning of it, the construction of buildings and the acquisition of endowments, was the work of the dynamic abbot of Clairvaux, the Englishman Stephen of Lexington. In 1247 the bishop of Langres offered an indulgence of forty days to anyone who gave financial aid to the project. One of the earliest, perhaps the first, of the benefactors was Abbot Stephen's own brother, John of Lexington, steward of the household to Henry III, who granted half of the advowson of the church of Rotherham in the West Riding of Yorkshire. The charter recording this grant was seen by D'Arbois de Jubainville,<sup>1</sup> but the compilers of the Paris Chartulary were unable to find any trace of it in the archives of Clairvaux,<sup>2</sup> so that the precise terms of the endowment have not hitherto been known. The text of the charter, printed below, is taken from the memoranda roll, where it appears among the other Rufford deeds, and it has been possible to collate this with another fifteenth-century copy from Clairvaux, which is now preserved in the archives of the Aube.<sup>3</sup>

It was not solely Abbot Stephen's profession that brought the Lexington family within the Cistercian orbit. The proximity of Rufford abbey, which lay a few miles westward of the manor and vill of Laxton, from which the family took their name, must have familiarised them from an early age with the Cistercian vocation as well as giving them a very practical interest in Cistercian affairs. They were brought into close relations with the abbey both as landlords and benefactors. The father, Richard, had had a chapel constructed beside the abbey infirmary, and the eldest brother Robert, the distinguished judge, augmented the donation with a grant of lands and 100 marks to support three monks to celebrate mass in the chapel perpetually.<sup>4</sup> Besides this, Robert granted the abbey several rents and properties and the younger brothers, Henry, Stephen, Peter, and John, appear as witnesses to several of these charters.<sup>5</sup>

John of Lexington's contribution to his brother's plan for promoting Cistercian studies consisted of a grant in free alms of half the advowson of Rotherham church. It was made to the abbot and convent of Clairvaux for the use of the new college, of which they were the proprietors.<sup>6</sup> The profits of the advowson were to be devoted to supporting thirteen monks of Clairvaux studying theology at the Paris house. Although couched in the common legal formulas of the thirteenth-century eleemosinary grant, the charter has some interesting features. Most charters recording a

<sup>1</sup> *Études sur l'état intérieur des abbayes cisterciennes aux xiii<sup>e</sup> et xiiii<sup>e</sup> siècles* (1858), p. 366 n. 1.

<sup>2</sup> *Chartularium Universitatis Parisiensis*, ed. H. Denifle and A. Chatelain (Paris, 1889-97), i, no. 232 n. 1.

<sup>3</sup> Troyes, Archives de l'Aube, 3 H 734. I am grateful to the director of the archives, Monsieur G. Brun, for help in tracing this copy.

<sup>4</sup> Rufford ch. 63. The Rufford charters are among the Savile MSS., deposited at Nottinghamshire County Record Office. I am grateful to Dr. R. A. Brown for giving me access to them when they were lodged at the Public Record Office. An edition is being prepared by Dr. Brown and Dr. C. J. Holdsworth pending which, the numbers cited here are provisional.

<sup>5</sup> Rufford chs. 114, 138, 215-17.

<sup>6</sup> *Four. Eccles. Hist.*, xi. 169-70.

grant in free alms contain a reference to the pious intentions of the donor. In this case the reference to the donor's kindred is preceded by an *arenga* about the importance of sacred learning to men who have embraced the contemplative life. This type of preamble, common enough in charters of an earlier period, is mostly confined in the thirteenth century to papal and episcopal *acta*. Perhaps the observations of the donor in this case reflect the uncertainty and anxious discussion which surrounded the novel experiment of sending monks to the schools. Of equal interest are John of Lexington's careful provisions to ensure that the Collège St. Bernard should not be defrauded of the 'use' which he had conferred upon it. If the abbot and convent of Clairvaux allow the number of student monks to fall short of the stipulated thirteen or permit the study of theology at the college to cease, they shall be warned three times by six accredited persons acting on behalf of the donor or his heirs and, if the defect is not remedied, the property shall revert to the donor or his heirs.

The early vicissitudes of the college do not concern us here. Our documents illustrate the efforts of Clairvaux to exploit John of Lexington's endowment, their difficulties in doing so, and its ultimate diversion into a channel which the donor can hardly have envisaged. The church of Rotherham was divided into two rectories. The rector of one half was presented by the family of de Vescy, who were the lords of Rotherham. The rector of the other half now had the abbot and convent of Clairvaux for his patrons. The first move made by Clairvaux was to get the advowson of the church converted into an appropriation. This was accomplished by a bull of Alexander IV, dated 11 May 1256, which entitled the abbot and convent to appropriate the tithes when the rectory fell vacant and to enter into possession of their half of the church without institution by the bishop.<sup>1</sup> Such exemptions, although contrary to the professed policy of the Roman Curia, were not infrequently granted at this period.<sup>2</sup> The endorsement of the bull shows that it had been procured through the English Cistercian cardinal, John of Toledo, who was the protector of the order and the chief promoter at the Curia of the Paris college.<sup>3</sup>

The abbot and convent of Clairvaux, then, became the corporate rectors of their moiety of the church and served it by means of a secular priest. It must be presumed that they created a vicarage for the benefit of their chaplain as the papal letter had stipulated.<sup>4</sup> The remaining

<sup>1</sup> See below, document 2.

<sup>2</sup> See R. A. R. Hartridge, *A History of Vicarages in the Middle Ages* (1930), p. 31, and the examples there cited.

<sup>3</sup> On whom see H. Grauert, 'Meister Johann von Toledo', *Sitzungsberichte der königlichen bayerischen Akademie der Wissenschaften*, hist. Kl. (1911), pp. 111-325; *Jour. Eccles. Hist.*, xi. 174-5. Brit. Mus., Harl. Ch. III. A. 7 is a licence to hold in plurality, dated 16 March 1247, in favour of Master William of Lexington, who is described as the cardinal's chaplain. It appears then that the Lexingtons had a useful foothold at the Curia.

<sup>4</sup> In 1291 the vicarage was assessed at £5: *Taxatio Papae Nicholai IV*, pp. 299b-300, 321, 333. This was hardly a generous provision in relation to the value of the

fruits of the benefice were appropriated to the use of the Collège St. Bernard. But there remained the practical problem of how to manage their property. It appears from our third document that they installed a monk at Rotherham as their agent for this purpose. Whether he resided in the parish alone or whether, as is more probable, he formed a member of a small cell, does not appear. It is clear that he was to some extent involved in the affairs of the parish, but that he had no cure of souls, as the bull, which is dated 28 April 1259, licenses him to act as executor of wills and confessor to such of the parishioners of Rotherham as desire his services, on condition that they have first obtained the consent of their own priest.<sup>1</sup> Nothing else can be ascertained about the monk bailiff. The obvious expense and difficulty of managing the property at remote control and the problems of conducting litigation in foreign law courts persuaded the abbot of Clairvaux after two decades to give up the attempt. In 1288 he obtained a bull authorising him to farm the church to some other monastery of the order situated in the diocese of York.<sup>2</sup> This, however, was in order to gain legal cover for a transaction that had already taken place. Clairvaux had already conveyanced their half of the church to Rufford abbey in 1278.<sup>3</sup> By this Rufford became the perpetual farmers of the moiety of Rotherham church for an annual farm of £20 which had to be paid at the Collège St. Bernard to the provisor and cellarer of the institution each year on the feast of St. Bartholomew. The farmers exploited the rectory and presented the vicar to serve the church.<sup>4</sup> In the tax assessment of 1291 the value of the moiety of the church, after payment of the farm, was assessed at £16 13s. 4d. and the vicarage at £5.<sup>5</sup> No doubt the real value of the church to the farmers was considerably higher.

What of the college meantime? We have it on the assertion of the abbot of Rufford that the abbot of Clairvaux continued to maintain his quota of thirteen student monks at Paris throughout. For their support the abbot of Rufford paid his farm of £20 year by year until 1295. Then war broke out between England and France. Philip the Fair invaded Gascony. Edward I imposed security arrangements upon alien monks and seized the temporalities of all alien religious houses. The income from Rufford was thus cut off. On the cessation of hostilities Rufford recovered their Rotherham property, but they were permitted to hold it as farmers, not of Clairvaux, but of the Crown, paying the £20 annually into the ex-

church and it seems that in 1290 Archbishop John le Romeyn was contemplating some improvement: *Reg. John le Romeyn*, ed. W. Brown (Surtees Soc., 1913-17), i. 100.

<sup>1</sup>Cf. the arrangements made by Cîteaux in order to exploit their rectory of Scarborough: C. H. Talbot, 'Cîteaux and Scarborough', *Studia Monastica*, ii (1960), 95-158.

<sup>2</sup>See below, document 4.

<sup>3</sup>*Cal. Ch. Rolls 1341-1417*, pp. 66-7.

<sup>4</sup>Presentations were made by the abbot of Rufford in 1290 and 1311: *Reg. John le Romeyn*, i. 100; *Reg. William Greenfield*, ed. W. Brown and A. H. Thompson (Surtees Soc., 1931-40), ii. 109.

<sup>5</sup>*Taxatio Papae Nicolai IV*, pp. 299b, 321, 333.

chequer.<sup>1</sup> Clairvaux started an action for recovery in the York consistory court in 1308,<sup>2</sup> but the case was clearly hopeless. Thus John of Lexington's careful provisions were in vain. The Collège St. Bernard had of course other endowments, notably the munificent gift of Prince Alphonse of Poitou.<sup>3</sup> Nevertheless, the Lexington donation was the source from which the college drew about a quarter of its income, and its loss must have substantially contributed to the insolvency which forced Clairvaux to sell out its rights in the college to the general chapter of the order in 1320.<sup>4</sup>

As to Rotherham, Rufford abbey pursued a policy of piecemeal but steady acquisition. In 1256-7 they acquired a share of the mills.<sup>5</sup> In 1283 John de Vesey granted them the lordship of Rotherham manor together with the advowson of the other half of the church.<sup>6</sup> Finally, on 7 April 1349, Archbishop William la Zouche appropriated the de Vesey moiety to the abbey which now became the sole rector of a reunited church.<sup>7</sup>

C. H. LAWRENCE

I

*John of Lexington grants to the abbot and brethren of Clairvaux a moiety of the church of Rotherham for the support of thirteen monks of Clairvaux studying theology at the house of St. Bernard-in-Cardinetto, Paris. (18 July 1249)*

Universis Christi fidelibus ad quos presens scriptum pervenerit, Johannes de Lessington<sup>8</sup> miles, dominus de Eston, salutem in omnium salvatore. Noverit universitas vestra quod ego, pie attendens et advertens quam sit utilis ac necessarius viris contemplativis insimul et activis divine sapientie fructus, cuius quidem, ut ait sanctus, illuminatio spiritalis reducit erroneum, relevat lapsum, corrigit excessus, dirigit actus, bonos mores componit et ordinat, purgat sordidum, mestum letificat, mortuum vivificat, iustum provehit ad profectum et proficientem ad perfectum perducit, divine remunerationis<sup>9</sup> respectu, quantum ad patronum pertinet,<sup>10</sup> dedi, concessi, et presenti carta mea confirmavi, pro salute anime mee, uxoris mee, patris et matris mee, fratrum meorum Roberti, Petri,<sup>11</sup> et Henrici, et omnium antecessorum, successorum ac consanguineorum meorum, deo et beate Marie sanctoque Bernardo ac domui Clarevallensi atque

<sup>1</sup>P.R.O., K.R. mem. roll 190, m. 60v.

<sup>2</sup>*Reg. William Greenfield*, v. 226-7.

<sup>3</sup>*Chartularium Universitatis Parisiensis*, i, nos. 220-1.

<sup>4</sup>*Ibid.*, ii, no. 794; *Statuta Capitulum Generalium Ordinis Cisterciensis*, ed. D. J. M. Canivez, iii (Louvain, 1935), pp. 353-4: at that date the chapter assessed the permanent annual income of the college at c. 200 livres tournois. The £20 from Rufford would therefore have constituted 28% of the total.

<sup>5</sup>Rufford ch. 164.

<sup>6</sup>*Cal. Ch. Rolls 1257-1300*, pp. 264-5, 291-2.

<sup>7</sup>P.R.O., K.R. mem. roll 190, m. 57; Brit. Mus., Harl. Ch. 111. A. 32 is a letter of confirmation by Urban VI.

<sup>8</sup>Lessington' b.

<sup>9</sup>miserationis a.

<sup>10</sup>quantum . . . pertinet om b.

<sup>11</sup>Petri om b.

abbati et fratribus ibidem deo servientibus medietatem ecclesie de Roderham cum omnibus pertinentiis suis, cuius patronatus ad me et heredes meos spectat, habendam et<sup>1</sup> in puram elemosinam perpetuo possidendam.<sup>2</sup> Ita quod proventus dicte medietatis in usus proprios loci beati Bernardi in Cardoneto, quem habent Parisius, fideliter convertantur in forma subscripta. Ex<sup>3</sup> dictis siquidem proventibus sustentabuntur in perpetuum tresdecim monachi Clarevallensis, quos ibidem ponere debet dictus abbas Clarevallensis, ut sub observantia regulari, prout permittit divine sapientie studium, illic domino famulentur, sacro theologie studio salubriter intendant ad dei honorem, ordinis Cisterciensis sacram illuminationem, et totius ecclesie sancte dei edificationem. Monachos insuper studendi causa illuc destinatos ordinate recipiant, disciplinate custodiant et in forma consueta vel tractu temporis fortassis melius providenda procurent. Si vero dictus numerus tresdecim monachorum a prefatis Clarevallensibus ibidem non fuerit fideliter observatus, et ex parte mea vel heredum meorum per sex venerabiles autenticas et honestas personas usque ter apud dictum locum beati Bernardi solempniter ac diligenter admoniti, dictum numerum tresdecim monachorum redintegrare neglexerint, vel sacre theologie salutarem doctrinam ibidem totaliter cessare permiserint, stante tamen et vigente apud Parisius studio scolastice universitatis, absque omni contradictione abbatis et conventus Clarevallensis seu alterius cuiuscumque dicte medietatis ecclesie de Roderham patronatus et presentandi potestas ad me et heredes meos libere revertetur soluta et quieta de predicta abbate et conventu Clarevallensis in perpetuum. Hanc autem donationem et concessionem meam ego et heredes mei dicte domui Clarevallensi contra omnes homines et feminas in perpetuum tenemur warrantizare sicut predictum est. In cuius rei robur perpetuum et testimonium presenti scripto sigillum meum apposui. Hiis testibus: Thoma abbate de Gardo, Magistro Olivero de Sutton,<sup>4</sup> Magistro Johanne de Derbi,<sup>5</sup> Roberto clerico rectore ecclesie de Kelum, Roberto de Marham<sup>6</sup> milite, et pluribus aliis. Datum apud Eston' anno domini millesimo ducentesimo quadragesimo nono, dominica proxima ante festum beate Marie Magdalene.

*Text:* Copies, a Troyes, Archives de l'Aube, 3 H 734.

b P.R.O., K.R. memoranda roll 190, 1 Henry V, mm. 55v-56.

2<sup>7</sup>

*Mandate of Alexander IV to the abbot of Boxley to institute the abbot and convent of Clairvaux to the moiety of the church of Rotherham which the pope has appropriated to them for the use of the brethren studying theology at the house of St. Bernard-in-Cardineto, Paris. (11 May 1256)*

Alexander episcopus servus servorum dei. dilecto filio . . abbati de Boxeley Cantuarien(s)is diocesis, salutem & apostolicam benedictionem. Salubri con-

<sup>1</sup>et om a.

<sup>2</sup>presidendam b.

<sup>3</sup>Et a.

<sup>4</sup>Oliver Sutton's name precedes that of the abbot in a.

<sup>5</sup>Derby a.

<sup>6</sup>Marcha a.

<sup>7</sup>In printing documents 2-4 the original punctuation has been followed and tironian signs have been inserted where they occur in the original.

sideratione dilectus filius nobilis vir Johannes de Lessenton' dominus de Eston' intelligens in loco sancti Bernardi in Cardineto Parisien(sis) qui est dilectorum filiorum . . . abbatibus & conventus monasterii Clarevallis | Cistercien(sis) ordinis Lingonen(sis) diocesis talentum sacre pagine ad decorem sponse Christi & illustrationem fidei dispensari eis pro huiusmodi dei opere exequendo ius | patronatus quod in medietate ecclesie de Roderham Eboracen(sis) diocesis obtinebat, liberaliter noscitur concessisse, ut igitur ipsius nobilis oblatio iuxta laudabile votum eius fructuosa reddatur, nos ipsorum supplicationibus benignius annuentes, litterarumstrarum auctoritate ipsis duximus concedendum, ut medietatem ipsam, cadente vel decedente rectore ipsius, usibus fratrum ipsorum ordinis in predicto loco theologie facultatis studio insistentium, cum omnibus suis | iuribus & pertinentiis applicare ac eius possessionem auctoritate propria ingredi & retinere libere valeant, episcopi diocesani & capituli Eboracen(sis) vel | loci archidiaconi seu cuiuscunque alterius assensu minime requisito proviso tamen quod idoneo capellano in eadem ecclesia domino perpetuo servituro | competens per eos de ipsius proventibus portio ex qua congrue sustentari, ac alia ipsius ecclesie onera sustinere valeat, assignetur. Nos enim nichilominus decrevimus irritum & inane si de predicta medietate secus fuerit attemptatum. Quocirca discretioni tue per apostolica scripta mandamus. quatinus dictos abbatem & conventum | vel eorum procuratorem ipsorum nomine, post cessationem vel decessum predicti rectoris, in corporalem ipsius medietatis possessionem, per te vel per alium inducas & | tuearis inductum. contradictores per censuram ecclesiasticam appellatione postposita compescendo. Dat. Lateran' v. Id. Maii | pontificatus nostri anno secundo.

*Text:* Original, Brit. Mus., Harl. Ch. III. A. 22.

*Measurements:* 11·8 in. × 8·8 in. margins: 0·5 in. turn-up: 1·1 in.

*Sealing:* Bulla attached by hemp strings.

*Chancery notations:* in the right hand corner of turn-up: 'a.s.'; on dorse: 'dns. Johannes de Tolleto'; 'Ambr.'

## 3

*Letter of Alexander IV to the abbot and convent of Clairvaux permitting their monk at Rotherham to act as executor of wills and to hear the confessions of the parishioners with the permission of their own priest. (28 April 1259)*

ALEXANDER episcopus servus servorum dei. dilectis filiis . . . abbati et conventui monasterii Clarevallen(sis), Cistercien(sis) ordinis Langonen(sis) diocesis. salutem et apostolicam benedictionem. Religionis vestre favor necnon sincere devotionis affectus quem ad Romanam ecclesiam habere | noscimini laudabiliter promerentur ut nos favore benivolo prosequentes petitiones vestras quantum cum deo possumus ad auditionis gratiam | admittamus. Sane ex parte vestra fuit propositum coram nobis quod parochiani ecclesie de Raderham Eboracen(sis) diocesis ad monasterium vestrum | pleno iure spectantis interdum monachum presbiterum per vos existentem ibidem executorem constituunt sue ultime voluntatis et propter devotionem quam ad ordinem vestrum habent ab eo salutarem penitentiam recipere desiderant de commissis. Nos itaque vestris supplicationibus inclinati | ut idem monachus presbiter qui pro tempore fuit in eadem testamentorum ipsorum executionem recipere & illa exequi solus sine cum aliis prout | eum a predictis parochianis executorem constitui contigerit



necnon confessiones parochianorum ipsorum de licentia proprii sacerdotis | audire valeat cum super hoc ab eis fuerit requisitus et iniungere eis pro commissis penitentiam salutarem nisi talia fuerint propter que | sit sedes apostolica merito consulenda vobis auctoritate presentium indulgemus. Nulli ergo omnino hominum liceat hanc paginam nostre | concessionis infringere vel ei ausu temerario contraire. Si quis autem hoc attemptare presumpserit indignationem omnipotentis dei & beatorum | Petri & Pauli apostolorum eius se noverit incursurum. Dat. Anagnie iij Kal. Maii. | pontificatus nostri anno quinto.

*Text:* Original, Brit. Mus., Harl. Ch. III. A. 23.

*Measurements:* 11·2 in. × 8·5 in. margins: 0·7 in. turn-up: 1·3 in.

*Sealing:* Bulla attached by crimson and gold silk strings.

*Chancery notations:* on dorse: 'P. de Ass.'<sup>1</sup>; 'Cister' Clarevallis.'

## 4

*Nicholas IV licenses the abbot and convent of Clairvaux to farm their moiety of the church of Rotherham to some other monastery of their order in the diocese of York. (24 April 1288)*

Nicolaus episcopus servus servorum dei. dilectis filiis . . abbati et conventui monasterii Clarevallis Cistercien(sis) ordinis Lingonen(sis) diocesis | salutem et apostolicam benedictionem: Presentata nobis ex parte vestra petitio continebat quod vos medietatem ecclesie de Roderham cuius patroni estis in Eboracen(sis) | diocesi constitute canonice in usus proprios obtinetis quodque proventus eiusdem medietatis fratrum monasterii vestri Parisius studentium sunt usibus | deputati unde cum sicut asseritis super dictis proventibus a nonnullis illarum partium qui cum malefecerint gloriantur adeo gravemini graviter | iniuriis et iacturis quod vobis propter loci distantiam adversus iniuriatores huiusmodi nequeuntibus iustitiam vestram prosequi et obviare malitiis | et violentiis eorundem prefatam medietatem non potestis possidere pacifice nec integre ipsius percipere redditus et proventus. Quare super hoc ad | providentie nostre opportunum remedium recurrentes a nobis humiliter postulastis ut concedendi huiusmodi medietatem ecclesie prefate . . abbati et | conventui alicuius monasterii vestri ordinis eiusdem Eboracen(sis) diocesis ad firmam perpetuam pro certo annuo censu dictis fratribus studentibus pro futuro liberam vobis licentiam largiremur. Nos itaque vobis sancte contemplationi deditis in hiis que illam impediunt cupientes optatam quietem et votive consolationis comoda procurare vestris supplicationibus inclinati vobis auctoritate presentium licentiam concedimus postulatam. Ita tamen quod predicta ecclesia pro | parte vos contingente in ea debitis obsequiis non fraudetur eique per idoneum vicarium serviatur. Volumus quoque quod hii qui huiusmodi medietatem ad firmam | receperint pro eiusdem medietatis iuribus defendendis utantur libere privilegiis et indulgentiis que pro defensione huiusmodi iurium vobis sunt ab apostolica sede | concessa quibusve usi sunt hactenus rectores medietatis eiusdem. Dat. Rome apud sanctum Petrum | viii Kal. Maii pontificatus nostri anno primo.

<sup>1</sup>Peter of Assisi was a permanent proctor at the Curia who was frequently used by Cistercian monasteries: see R. von Heckel, 'Das Aufkommen der ständigen Prokuratoren an der päpstlichen Kurie im 13. Jahrhundert' in *Miscellanea Franceseo Ehrle* (Rome, 1924), ii. 318-19.

*Text:* Original, Brit. Mus., Harl. Ch. III. A. 27.

*Measurements:* 15 in. × 10·8 in. margins: 1·1 in. turn-up: 1·2 in.

*Sealing:* Bulla attached by hemp strings.

*Chancery notations:* in the right hand corner of turn-up: 'No. Sinib'; on dorse: 'G. de Ecclesia de Roderham'.

An endorsement in a 15th-cent. hand reads: 'Irrotulatur in memorando scaccarii videlicet inter recorda de termino Sancti Michaelis anno primo regis Henrici quinti ex parte rememoratoris regis in quodam videlicet processu tangente abbatem de Rufford.'

### *Four Early Tudor Financial Memoranda*

EXISTING MEMORANDA on problems in financial administration are comparatively rare for the early sixteenth century.<sup>1</sup> Even though the fifteen-thirties saw considerable experiments and change in the administration of national finance, most of the surviving memoranda are in the form of brief notes, known as Cromwell's Remembrances.<sup>2</sup> The four more detailed memoranda of this period printed below are, therefore, of particular interest, especially as they concern abuses in the exchequer and in the administration of Crown lands on which little information has previously been available.

Two copies of three of these four memoranda have been found. The earlier copy is in the Westmorland (Apethorpe) MSS., now deposited in the Northamptonshire Record Office at Delapré Abbey, and it is from this manuscript that the text of the first three memoranda has been taken.<sup>3</sup> This Delapré manuscript is a paper book consisting of three gatherings. Each gathering contains one memorandum; the first memorandum occupies four folios, while the second and third occupy two folios apiece. Four sheets of identical paper have been used for the texts, folded to form eight folios of 12¼ in. × 8¾ in. A further single sheet of identical paper has been used to form a cover.

Careful measurement of the fold-marks on the inside sheets reveals only very minor discrepancies implying that the three memoranda had been kept folded together. As the last sheet of the first memorandum is markedly dirty this may originally have been on the outside. If so, an endorsement in a secretary hand on this folio 'A goode Booke of Remembraunce for Mr Cromwell &c' probably refers to the entire contents of the bundle, that is to all three memoranda, all of which are written in the same unidentified fine engrossing hand. The present cover sheet has

<sup>1</sup>Most Tudor financial memoranda concern the later 16th century, and are to be found among the MSS. in the British Museum, especially in the Lansdowne and Cottonian collections.

<sup>2</sup>These 'Remembrances' are fully calendared in the relevant volumes of *Calendar of Letters and Papers . . . Henry VIII.*

<sup>3</sup>Westmorland (Apethorpe) MSS., Bundle 4 XX 2. We are grateful to the Westmorland trustees for permission to publish this document.

fewer fold-marks. On this sheet the book is given a new description in a different secretary hand: 'A good order & devise for the reformation of certen abbuses in the kynges eschequier & for the kynges aduantage.' The title and the fold-marks suggest that the cover sheet was added only when the book was reorganized into its present form; probably after no great lapse of time, since all five sheets bear the same watermark.<sup>1</sup>

The second copy of these three memoranda has been found in a paper book, comprising thirty-six folios, measuring 7½ in. × 5½ in., in the University of London Library.<sup>2</sup> This book is written throughout in a secretary hand which probably dates from sometime after the middle of the sixteenth century.<sup>3</sup> The three memoranda are here written in the same order but without any break between them. The wording of the two copies is almost identical; but the spelling often differs. The London manuscript omits the endorsements found on the Apethorpe manuscript, and incorporates the marginal headings in the second memorandum into the text, distinguishing them by a crude form of italic hand. The variations in spelling between the two texts have not been considered of sufficient importance to warrant full notice here; but where differences in the form or in the wording of the texts occur, these have been noted.

In the London copy the three memoranda are preceded by a fourth, which occupies the first forty-five pages of the manuscript. The greater part of this provides a detailed description of the duties of most of the officers of the upper exchequer and of the fees which they received from the Crown. Although of great interest to those concerned with the detailed procedure of the exchequer, this is too long to print conveniently here, but the concluding section of 'The causes of the grudges and euill reportes of the said courte' is similar in scope to the other memoranda in the book, and has accordingly been printed here after them.

Could it be shown that the Apethorpe manuscript comprises the original memoranda rather than copies of earlier memoranda, the problem of dating would be greatly simplified; for the identity of the writing, paper,

<sup>1</sup>The watermark is a gloved hand with star, fingers together, thumb separate, laced at the wrist, and bearing a '3' on the palm open away from the thumb. This mark is not noted by Briquet, but is nearest to his No. 11369 (C. M. Briquet, *Les Filigranes* (Leipzig, 1923), iii. 573-4 and figs. 11341-98. See also E. Heawood, 'Sources of early English paper-supply', *The Library*, 4th ser., x (1929-30), 437 and 440 fig. 137).

<sup>2</sup>*Catalogue of the Manuscripts and Autograph Letters in the University* [of London] *Library*, comp. R. A. Rye (1921), No. 9. We are grateful to Dr. J. H. P. Pafford, Goldsmiths' Librarian, for permission to publish part of this document. The MS. was purchased in March 1912 from Messrs. Mawson, Swan & Morgan, of Newcastle-upon-Tyne, and has been described by them as a Durham MS. An old cover, or title page, bound at the front of the MS. shows that it was once the property of the Incorporated Law Society. A contents list has been added in a later hand, headed by the signature 'B. Holme'.

<sup>3</sup>The two watermarks which occur in this MS. are both variations of the pot motif, very common throughout the 16th century. See Briquet, iv. 624-40 and figs. 12669-71, which are nearest to the marks on the MS.

and fold-marks, of all three memoranda would require them to have been written and presented to Cromwell by their author almost simultaneously. On the other hand, these same characteristics are equally consistent with the possibility that the Apethorpe manuscript consists of copies made, possibly by one of Cromwell's clerks, almost simultaneously but of earlier and quite separate memoranda. At all events, if the argument about the endorsement on the first memorandum is accepted, the Apethorpe manuscript, whether originals or copies, cannot have been written later than 9 July 1536 when Cromwell was made a baron,<sup>1</sup> while the watermark makes a date earlier than 1526 improbable.<sup>2</sup> Consideration of the contents of the memoranda, however, still leaves the question of the originality of the manuscript uncertain. While the first and third memoranda are both concerned with the remedy of abuses in the exchequer, and are both agreed that the main cause stems from a neglect of 'the olde goode order & vsage' and that the main remedy lies in ensuring that officials have previous exchequer experience, yet they differ in many respects. The author of the first memorandum cites specific abuses, revealing a thorough and long standing knowledge of exchequer practice. The author of the third has little to say about specific abuses, and is more concerned to regain for the exchequer the accounts currently being heard by the general surveyors. This might be the response of a single mind to two separate occasions, for while the first memorandum appears to have been the response to a query about abuses, the third memorandum was a spontaneous, and perhaps hasty, reaction to the introduction of a bill against the exchequer in parliament. They could, however, equally well be the response of two different minds to the same or similar problems, either on the same or on different occasions. The second memorandum deals with a quite separate matter, the loss of revenue from Crown lands, and, apart from being cast in a slightly different form, sheds no further light on this question. Clearly, however, the Apethorpe manuscript cannot safely be assumed to comprise the original memoranda, so that so far as the date of the composition of the memoranda is concerned only the terminal date of 9 July 1536 remains reasonably certain.

A consideration of the contents of the memoranda does, however, make some dates more probable than others. The first attacks the appointment of distinguished outsiders as chancellors of the exchequer; such a comment would have been most impolitic after April 1533 when Cromwell, with no exchequer training, succeeded Berners as chancellor. Besides, Cromwell is known to have been active in office while Berners was an acknowledged absentee.<sup>3</sup> A lower limit of 1512 is imposed by the reference to the 'kynges generall Surveyours of his landes', but the reference in the

<sup>1</sup> *DNB*, *sub* Cromwell, Thomas.

<sup>2</sup> This is the earliest date for any of the watermarks of the same *genus* as the watermarks in the MS. (Briquet, iii. 573).

<sup>3</sup> G. R. Elton, *Tudor Revolution in Government* (Cambridge, 1953), pp. 108<sup>2</sup>-9, 113-19.

memorandum to a lack of exchequer experience on the part of the undertreasurer and the third and fourth barons suggests that the memorandum was written later than this.<sup>1</sup> As far as the undertreasurer is concerned, the criticism of inexperience might have applied to Sir John Cutte much earlier in 1505 when he was appointed undertreasurer<sup>2</sup> but would have been far more apposite to Sir Thomas More, undertreasurer from 1521 to 1524, to Sir William Compton, undertreasurer from 1524 to 1528, or to Sir Richard Weston, undertreasurer from 1528 until 1539, none of whom had any exchequer experience whatsoever.<sup>3</sup> Again, lack of experience in the exchequer could scarcely be laid to the charge of the third and fourth barons from 1513 until 1520, for at this time the third baron had been king's remembrancer since 1503 while the fourth baron had been lord treasurer's remembrancer since 1505.<sup>4</sup> This third baron, appointed in 1511, remained in office until November 1522, after which neither the third nor the fourth baron is known to have had exchequer experience, until April 1534 when the king's remembrancer was appointed as fourth baron.<sup>5</sup> Thus a possible date for this memorandum would lie between 1512 and 1536, but it is more probable that it was written between

<sup>1</sup>The title, in the form 'general Surveieurs and Approwers', first occurs in 3 Henry VIII c. 23, s. 1.

<sup>2</sup>No patent of Cutte's appointment has been found. His predecessor as undertreasurer, Sir Robert Lytton, died 11 Apr./3 June 1505 (J. C. Wedgwood, *History of Parliament: Biographies, 1439-1509* (1936), p. 566). Cutte was an active and important member of the council under Henry VII (W. C. Richardson, *Tudor Chamber Administration* (Baton Rouge, 1952), pp. 98, 101 n. 47).

<sup>3</sup>More was admitted to office on 2 May 1521 (Public Record Office, Exchequer, Lord Treasurer's Remembrancer, Memoranda Rolls, E.368/295 Recorda, Easter rot. 34); Compton was admitted on 24 Jan. 1524 (P.R.O., Exchequer, King's Remembrancer, Memoranda Rolls, E.159/304 Recorda, Hilary rot. 1); and Weston on 20 Oct. 1528 (P.R.O., E.368/302 Recorda, Michaelmas rot. 4d). Weston was succeeded by Sir John Baker, chancellor of the exchequer, who was admitted on 20 Jan. 1541 (P.R.O., E.368/314 Recorda, Hilary rot. 7).

<sup>4</sup>Robert Blagge was admitted as king's remembrancer on 26 Jan. 1503, and was succeeded by Thomas Walshe on 12 Feb. 1524 (P.R.O., E.368/276 Recorda, Hilary rot. 1; E. 368/297 Recorda, Hilary rot. 1). He was also admitted as third baron on 27 June 1511 and was succeeded by John Hales on 4 Nov. 1522 (P.R.O., Chancery, Miscellaneous Books, C. 193/3 f. 11d; E.159/301 Recorda, Michaelmas rot. 1). He was also appointed one of the general surveyors on 1 May 1515 (*L. & P., Henry VIII*, ii, No. 402). Edmund Denny was appointed lord treasurer's remembrancer on 3 June 1505 and was succeeded by John Smith on 1 June 1513 (*Cal. Pat. Rolls 1494-1509*, p. 420; P.R.O., E.159/292 Recorda, Trinity rot. 1). On this same day Denny was admitted as fourth baron, to be succeeded by William Elys on 1 May 1520 (P.R.O., E.159/292 Recorda, Trinity rot. 1; E.159/299 Recorda, Easter rot. 12d).

<sup>5</sup>Thomas Walshe, king's remembrancer from 1524, was admitted as fourth baron on 27 Apr. 1534, and was succeeded by Lewis Fortescue on 14 Oct. 1542 (P.R.O., E.159/302 Recorda, Hilary rot. 14d; E.159/313 Recorda, Easter rot. 26; E.159/321 Recorda, Michaelmas rot. 70d). The barons without exchequer experience were John Hales, third baron from 4 Nov. 1522 until his appointment as second baron on 17 May 1528, and John Scott who succeeded Hales as third baron and remained in office until 1537 (P.R.O., E.159/301 Recorda, Michaelmas

November 1522 and April 1533, and it may have been 'A paper reciting the Exchequer' which Cromwell received between Michaelmas 1531 and Michaelmas 1533.<sup>1</sup>

The second memorandum, which concerns the general surveyors<sup>2</sup> as much as the exchequer, gives only two clues as to its date: a reference to the act of resumption of 6 Henry VIII,<sup>3</sup> and a mention of 'this present parlyament'. If the parliament of 7 Henry VIII is excluded as being too soon after the act of resumption, possible dates lie in the duration of the parliaments of 1523, 1529, and first few days of the parliament of 1536. The parliament of 1523 was relatively short, however, and two entries in Cromwell's Remembrances for October 1533 make it probable that the memorandum was written in the early fifteen-thirties. One, under the heading 'Acts necessary to be made at this Parliament', notes 'A resumption of all joint patents', one of the measures proposed by the memorandum, while under the heading, 'Things to be moved on the King's behalf unto his attorney, to be put afterwards in order and determination by the learned counsel against the next assembly of his parliament', there is noted 'The kinges Surveyors'.<sup>4</sup>

The third memorandum was provoked by a bill against the exchequer in parliament and so is limited to a time when parliament was sitting. The reference to the 'Cedule rem' withe the generall Surveyours' establishes 1515 as the earliest possible date, and the detailed proposals for regaining the accounts of the foreign auditors for the exchequer suggest that this might have been a parliament in which one of the acts for the general surveyors was debated.<sup>5</sup> It is known that a bill 'concernens

rot. 1; E.159/307 Records, Easter rot. 29; E.159/317 Records, Michaelmas rot. 29). William Elys remained fourth baron from Denny's departure in 1520 until Walshe's appointment in 1534. From Nov. 1533 Cromwell was trying to get Elys to resign, but because of his extreme old age rather than from any lack of experience (Elton, pp. 115-16).

<sup>1</sup>*L. & P., Henry VIII*, vii, No. 923, sect. xxxviii, p. 353.

<sup>2</sup>The general surveyors were empowered to grant leases for up to twenty-one years by 6 Henry VIII c. 24, s. 21, and by subsequent statutes. For the competence of the lord treasurer to grant offices, and lands in farm, see F. S. Thomas, *The Ancient Exchequer of England* (1848), p. 94, and the references cited there. Such grants on the fine rolls are noted as being 'per billam Thesaurarii', or 'per billam Subthesaurarii'. See, for example, *Cal. Fine Rolls, Henry VII*, Nos. 904-17.

<sup>3</sup>6 Henry VIII c. 25.

<sup>4</sup>*L. & P., Henry VIII*, vi, No. 1381 (3) sect. 12, (1) p. 549. This memorandum may also be linked with an undated set of instructions to the general surveyors to report on similar matters (British Museum, Cotton MS. Titus B. iv, fos. 119-20). A reference to recognizances places these instructions after 1523, when the general surveyors were first authorized to take bonds or recognizances (14 & 15 Henry VIII c. 15, s. 27). *L. & P., Henry VIII* calendars these instructions twice, under 1523 and 1532, but gives no reason for this choice of dates (*L. & P., Henry VIII*, iii, No. 3693; v, No. 1713). Richardson, *Tudor Chamber Administration*, pp. 279-80 accepts 1532, but gives no reasons.

<sup>5</sup>The act of 6 Henry VIII c. 24 was the first to provide a schedule of accountants. The two earlier acts, 3 Henry VIII c. 23 and 4 Henry VIII c. 18, referred to the

Errores in Scaccario reformandos' was brought up to the Lords from the Commons in the parliament of 6 Henry VIII (1515), just three days after the bill for the general surveyors was introduced into the Lords by the king's attorney. On the day after the second reading of the general surveyors' bill the exchequer bill also received its second reading. A discussion followed and the bill was not heard of again.<sup>1</sup> It is perhaps suggestive that before the general surveyors' bill was engrossed in the Lords a proviso was added explicitly stating that the king might cause the accounts specified in the schedule to be heard 'before any other persone or persones or before the Barons of theschequier'.<sup>2</sup> This clause provides very much what the author of the memorandum was advocating, and does not appear in any other act for the general surveyors. This occasion would therefore appear to fit the memorandum well, and certain of the abuses attacked can be shown to have prevailed at the time. From June 1511 to November 1522 Blagge was both third baron and king's remembrancer, the sort of plurality the writer was anxious to eradicate. On the other hand, a later date would be more consonant with other abuses described by the memorandum, such as the inexperience of the undertreasurer, although someone conservative enough to favour reviving the old system of five barons, abandoned in 1470,<sup>3</sup> might well still remember Cutte's initial lack of exchequer training. However, the possibility of a bill against the exchequer being presented in the Commons in 1523, or more probably in the reformation parliament, seems equally likely, especially in view of the possibility that the two other memoranda may date from the early fifteen-

list of accountants given in the commission of 6 Feb. 1511. See *L. & P., Henry VIII*, i, No. 709 (14).

<sup>1</sup>The bill for the general surveyors was introduced 'in papiro' on 7 March 1515, and was read for the first time on the same day (*Lords' Journals*, i. 29). The bill against the exchequer was received from the Commons on 10 March and received its first reading on 12 March (*ibid.*, p. 31). The bill for the general surveyors was read for a second time on 15 March and was then handed to the king's attorney for alteration, while the bill against the exchequer received its second reading on 16 March (*ibid.*, pp. 33, 34).

<sup>2</sup>6 Henry VIII c. 24, s. 27. The bill received its third reading in the Lords on 22 March (*Lords' Journals*, i. 36), and was then sent to the Commons. The original bill in the House of Lords Record Office is headed 'Soit baill. aux Cons.' The Commons added three provisos in the form of separate schedules, ss. 28-30 of the printed act, which were read and returned by the Lords on 23 March (*ibid.*, p. 37).

<sup>3</sup>At the restoration of Henry VI (E. Foss, *The Judges of England*, iv. 239). A fifth, or Cursitor, baron was restored in 1607 (*ibid.*, vi. 15). The author of the memorandum is right in saying that in the recent past the third and fourth barons were usually appointed from the remembrancers' offices. Durem and Levesham came from the king's remembrancer's office, and Thorp and Rocloff from the lord treasurer's remembrancer's (P.R.O., Exchequer of Receipt, Issue Rolls, E.403/751, 22 Feb.). But of the three last fifth barons none had been auditors. Holm had been ancienter secondary in the lord treasurer's remembrancer's office, and Ingoldsby had for a very short time been a teller (P.R.O., E.403/751, 22 Feb.; E.403/822, 17 July; E.403/825, 18 May). No record of Wolesley's employment in the exchequer, alleged by Foss (iv. 495), has been discovered.

thirties, and that all three memoranda in the Apethorpe manuscript may have been written within a short time of each other.<sup>1</sup>

The fourth memorandum, which is associated with the others only in the London manuscript, is equally difficult to date precisely. The reference in the memorandum to 'my lord of norfolk thesaurer' imposes a lower limit of 1 February 1514 and a reference to the filing of the general surveyors' accounts in the exchequer imposes an upper limit of April 1542, while the reference to Norfolk further excludes the period 4 December 1522 to 21 May 1524 when the treasurership was held by the earl of Surrey.<sup>2</sup> But within these limits, the comprehensiveness of the description of the duties and fees of the officers of the exchequer, the defensiveness of the attitude adopted by the barons of the exchequer, and the direct address by them of the memorandum to the king, all suggest some occasion on which a substantial reform of the exchequer was being considered by the Crown. There is independent evidence that Wolsey proposed exchequer reforms. In 1529 Palgrave claimed for Wolsey: 'We have begun to reform the abusions of the Exchequer', and 'We have begun to reform the abusion used in the processes made out of the Exchequer'.<sup>3</sup> But the most likely occasion for the composition of this memorandum is provided by a document, dating probably from 1519 or 1520, which shows that a reform of the exchequer was then under active consideration by the king and the council: 'Item the kynges grace Intendith to Reforme his exchequier and to establishe a substanciall ordre in the same.'<sup>4</sup>

Although the last paragraph of the fourth memorandum shows clearly that it was written by the barons of the exchequer, unfortunately none of the three memoranda in the Apethorpe manuscript provides any clue as to its author. The most that can be said is that whoever wrote these memoranda clearly had first hand knowledge of the matters of which they treat. The detailed knowledge of exchequer procedure together with a devotion to the traditional use, or course, of the exchequer displayed by

<sup>1</sup>An act for the general surveyors was passed in 1523 (14 & 15 Henry VIII c. 15), but the lords' journals are missing for this parliament and for most of the reformation parliament. In any case such a bill may never have reached the Lords.

<sup>2</sup>*DNB*, sub Howard, Thomas I, and II; *Handbook of British Chronology*, ed. F. M. Powicke and E. B. Fryde (1961), p. 103. The reference to the filing of the general surveyors' accounts occurs in the section of the memorandum devoted to the pipe office, which is not printed here (London MS. p. 29). Before the act 33 Henry VIII c. 39 established the court of general surveyors, all previous acts had required delivery of accounts into the exchequer (3 Henry VIII c. 23, s. 3, 4 Henry VIII c. 18, s. 3, 6 Henry VIII c. 24, s. 9, 7 Henry VIII c. 7, s. 6, 14 and 15 Henry VIII c. 15, s. 7).

<sup>3</sup>*L. & P.*, *Henry VIII*, iv, No. 5750, pp. 2555, 2557, 2562.

<sup>4</sup>Amongst other items which the king 'Intendith in his awne person to debate with his counsaile' (Brit. Mus., Cotton MS. Titus B. i, fo. 191, briefly calendared in *L. & P.*, *Henry VIII*, iii, No. 576). Mention of Fitzjames as the king's attorney imposes a lower date limit of 1519, and mention of Heron as treasurer of the chamber an upper limit of Feb. 1521 (Brit. Mus., Cotton MS. Titus B. i, fols. 188-190b).



the authors of the first and third memoranda further suggests that they may have held, or may once have held, office there.

In practice, no important reforms of the exchequer are known to have taken place under either Cromwell or Wolsey, nor were many abuses eradicated, although there are some signs that in the late fifteen-thirties attempts were being made to tighten up control of Crown lands and offices as was suggested in the second memorandum. Attempts along these lines, however, were the commonplace reaction to endemic abuses.

Nevertheless, the four memoranda were clearly considered important by contemporaries. The Apethorpe document was undoubtedly originally in the collection of Sir Walter Mildmay, and it would be both interesting and plausible to consider that it came into his hands when he was one of those principally concerned in the major exchequer reforms of the fifteen-fifties.<sup>1</sup> Moreover, another later treatise on the exchequer is entirely based on these memoranda. This quotes the first part of the University of London manuscript verbatim on the duties of the officers of the exchequer, adding new sections to accommodate the reorganization of 1554, and omitting others no longer applicable, and in the discussion of abuses in the exchequer it draws on the second part of this memorandum and the other three memoranda in the book, as printed here, sometimes quoting them directly.<sup>2</sup> Clearly matters had not greatly changed in the exchequer during the sixteenth century.

But the main interest of these memoranda for the modern historian lies rather in the light that they shed on practices in the upper exchequer, or exchequer of audit, in the early sixteenth century, practices which are often difficult to discover from the formal records. The memoranda concerned with the exchequer all agree that good order in the exchequer depends entirely upon the quality of the barons and other senior officers. In the first and third memoranda irregularities are attributed to bad appointments, while, *per contra*, in the fourth memorandum the barons assert that they have everything under control, including the taking of fees which are still based on the tariff of 1456.<sup>3</sup> It might be remarked that while there is plenty of evidence of the barons' attempts to control by

<sup>1</sup>For Mildmay's long career as a financial official see W. C. Richardson, *History of the Court of Augmentations* (Baton Rouge, 1961), s.n. The Westmorland (Apethorpe) MSS. contain a large amount of Mildmay material: Apethorpe was the Mildmay family seat, originally purchased by Sir Walter Mildmay. The 16th-cent. MSS. are largely concerned with Mildmay family affairs, but the collection contains many financial documents of a public nature which Sir Walter, in common with other distinguished contemporaries, presumably abstracted from the public records.

<sup>2</sup>Brit. Mus., Lansdowne MS. 171, fos. 315-24. The MS. gives no clues as to author or date.

<sup>3</sup>This tariff and the council ordinance under which it was issued were enrolled on the king's remembrancer's memoranda roll (P.R.O., E.159/234 Records, Michaelmas rot. 56). The tariff was regularly printed in book form until 1552 (*Bibliography of Early English Law Books*, comp. J. H. Beale for the Ames Foundation (Cambridge, Mass., 1926), pp. 136-8).

amercement the sheriffs' returns of exchequer writs, no evidence has been found of their claim to have audited the fees paid by each accountant in the various departments of the exchequer. The evil execution by the sheriffs of exchequer writs noticed by both the first and the fourth memoranda, and the gaps in the issue of process ascribed by the first memorandum to bribery or personal influence, are certainly features of early sixteenth-century exchequer practice.<sup>1</sup> It is interesting, too, that both the first and the fourth memoranda, from different viewpoints, comment on the unnecessary length of the escheators' accounts. The second memorandum deals with various semi-fraudulent means commonly employed by holders of offices and lessees of property to exploit the royal demesne: leases of manors for the sum of the fixed rents only, evasion of payment on reserved rights in such grants, assimilation of lands, destruction of copyhold and so on.

Between them the four memoranda provide valuable evidence both of what contemporaries considered to be amiss in the financial administration of the time, and of the measures of reform which they advocated.

SYBIL JACK AND R. S. SCHOFIELD

*Northampton, Delapré Record Office: Westmorland (Apethorpe) MSS., Bundle 4 XX 2<sup>3</sup>*

[*fo. 1r*] A good order & devise for the reformation of certen abbuses in the kynges eschequier & for the kynges aduantage.<sup>3</sup>

[*fo. 1v blank*]

I

[*fo. 2r*] Hereafter ensue certen articles whiche declare & open the causes why the old (and)<sup>4</sup> auneynt order & goode ordenaunce in the Court of theschequier be nott so well obserued & kept as they haue ben & owe to be / The remedye & redresse wherof according to the old goode order & vsage wilbe very neccessarie & also comodious & as<sup>5</sup> profitable for the kynges grace as cuer was to any prince & to that Courte honourable:-

First as touching the iijde and iijth Baron & also the vndertresorer ther / Albeit that they be & hereafter may be men of worshipp great discrecyon & well & substancyally lerned in the lawes of this Realme & not brought vpp in the Courte nor huing<sup>6</sup> hauing very perfite knowleche & experience of the Course therof

<sup>1</sup>For a discussion of several aspects of early 16th-cent. exchequer practice see R. S. Schofield, 'Parliamentary lay taxation, 1485-1547', pp. 372-413, 450-63; unpublished doctoral dissertation in Cambridge University Library.

<sup>2</sup>Variations in wording, but not in spelling, in the copy of this text in University of London Library MS. 9 [=L], pp. 47-72 will be noted as they occur.

<sup>3</sup>This title is written in a secretarial hand, different from that of the main text, and is omitted by L.

<sup>4</sup>Occurs in L only.

<sup>5</sup>Om. by L.

<sup>6</sup>Crossed through.

nor in the facultie of an<sup>1</sup> Auditour / their Roomes shalbe their masters & they but lerners / wherfor it is to be supposed that (at)<sup>2</sup> all the tyme of lernyng the kynges grace shalbe a sufferer & pay for their lernyng & experience & that not litle/- whiche is but easly esteemed or considered as it doth appere/-

Item the Chauncelour of that Courte is a worshipfull Roome ther / & shuld be a great stev for the goode order & gouernaunce therof if he were ther attending as he shuld be / But that Roome for the most part is yeven to suche men of honour or worship that nother haue experience ther nor com in the Courte to yeve attendaunce in their Roomes wherfor that Rome in maner is but lost & drowned whiche is moche pite &c.<sup>3</sup>

Item as long as the officers of that Courte by the Course of thesame do & may be hable to govern & rule the Barons Chauncelour & vndertresorer not furnysshed sufficiently withe the lernyng and experience off thesaid Courte/- so long not only the kynges grace but also his Subgettes may suffer wrong / For it is not to be doubted but diuerse & many men be well disposed to auance their owne profites & commodities when & as long as they may &c.

Item as touching proces in that Courte it is not to be doubted / but it is euery terme made habundantly & sent forthe / And as for the retourne therof / peraventure is nott so duly executed for the kynges profite & Auantage as it myght & shulde be / by reason of Fauour or mede<sup>4</sup> / And yet neuertheles the kynges Subgettes be very sore troubled vexed & inquieted in that behalf to their great costes and charges/-

[fo. 20] Item for like fauour or mede<sup>5</sup> or intreatye of Frenedes & Clerkes in that Courte goode processes be of tyn tymes repected spared & deferred / By meanes wherof suche debtes or other that shuld & myght be goode & redy money to the kynges Coffers is clerly lost & drowned other by some speciall or generall pardon or otherwise by the kynges graunte or by the insufficiency of the partie to the kynges great losse & hynderaunce/-

Item it hathe ben sene that if Any Recorde of that Courte hadd ben conveyed by water to thoffices of Any officer of thesame Courte to their dwelling howses in london / that the conveyer therof if hit had ben knowen to the Courte / shuld haue ben commytted to the flete it was then esteemed so daungerous both for the kyng & the partye / But now is thought to be a comon Course & vsage so to do / & peraventure the Recorde ther dothe remayne out of the Courte iij or v dayes & some tyme lenger whiche shuld not be suffered &c.

Item it hathe ben sene but<sup>6</sup> of late tyme that non shuld intermedell with Any Recorde in Any office of thesaid Courte / nor sytt & write within thesame except he wer a Clerke of thesame office Sworn to the kyng & at (all)<sup>7</sup> the kynges charge for diuerse & many goode consideracions but nowe for the most part euery of thesaid Clerkes<sup>8</sup> hath on or ij Clerkes vnder hym & so the (nombre of)<sup>9</sup> getters & gayners is increasyde in that Courte & lyve welthilye whiche is supposed to be borne & susteyned aswell at the kynges charge as at the partie/-

Item if the Clerke of the Streytes by reason of fauour or mede<sup>10</sup> do nott write out yerly Issuez fines & Amerciamentes & suche other as be in his office to the Shireffes but suche as be freshe & newe to be gathered & levyed without

<sup>1</sup>L: any.

<sup>2</sup>&c om. by L.

<sup>3</sup>L: neede.

<sup>4</sup>Occurs in L only.

<sup>5</sup>Om. by L.

<sup>6</sup>Occurs in L only.

<sup>7</sup>L: neede.

<sup>8</sup>but om. by L.

<sup>9</sup>L: them.

<sup>10</sup>L: neede.

moche busynes / & with suche as thesaid Shirefes can be contented to take to their charges & non other / (then all oder)<sup>1</sup> the residue of the olde Issues fines & Amerciamentes remayn still From tyme to tyme & be contynued vto<sup>2</sup> vnto<sup>3</sup> some generall pardon comme or somme other speciall graunt wherby the kynges grace may be A loser & that nott A litle·/·

Item the office of Clerk of the parcelles is of the gift & nomination of the chieff Baron & hath no Fee belonging to it / but it is chargeable to euery exchetour & may be well spared for it nother dothe goode to help nor further the Accompt of thesaid Exchetour &c.

[fo. 37] Item wher all the Recordes in the Courte except the pipe wer of An vnyfourme hand & faire & substancyally written that that<sup>4</sup> wildo Any man goode & pleasure to se them in the tyme of kyng Henry the vjth & befor / But nowe for lakke of goode writers & good Stuff it is much pyte to behold the bookes & Recordes that be ther to remayn of Recorde / for it is very likely that within very fewe yers they shalnott be Able to be sene & Redd·/·

Item it hath ben sene & was wont to be the goode order of that Courte that no man shuld be admytted into Any office or Rome by Any patent nother in possession nor reuercion but only to be brought into the courte by the lorde Treasurer for the tyme beyng & so to be sworn openly in the Courte to his office & ther to receive the keys of thesame office / The Roomes of (the Barons)<sup>5</sup> thesame<sup>6</sup> only except·/·

Item peraventure some of the Auditours that come in by patentes & not brought vp in the Courte / be to lern in their offices ther / And yet no doubt but otherwise forthe of the Courte haue as goode lernyng & experience as Any other of that facultie haue / neuertheles (it is not)<sup>7</sup> to be doubted but it dothe & may appere dayly that suche be gladd to lern of others their felowes ther / whiche is for that tyme of lernyng nother goode for the kynges grace nor for the partie·/·

Item as touching excuses in thaccomptes of Shireffes and Exchetours whiche make long bookes & mor chargeable to the Accomptant & be but of small or non effect to be contynued<sup>8</sup> for the kynges interest / may be otherwise better<sup>9</sup> ordered then they be / if the seid Borons wer expert & perfite in their Roomes as befor &c.

Item as touching petitions in thesaid Accomptes of Shirefes which be very chargeable yerly to the partie / diuerse & many of them myght be eased if thesaid Barons wer &c. For suche causes & matters as do appere to the Courte to haue ben respected & depending long in the Courte frome yer to yer & estemed not to be good nor levyable shuld not be writen owt to the Shiref as parcell of his charge / And then he shuld not be dryven to make Any petition in that behalf / but if it were so ordered it wild<sup>10</sup> be hurtfull yerly to some officer in that Courte & that nott a litle &c.

[fo. 3v] Item wher diuerse & many persons do yerly pay their Releues for knyghtes Fees and Fynes for respectyng of their homages to the kynges officers of his foreyn landes / (whiche is so certified emonges others by the kynges generall Surveyours of his landes into thesaid Courte yerly)<sup>11</sup> wher it dothe &

<sup>1</sup>Om. by L.

<sup>2</sup>Inserted.

<sup>3</sup>Inserted.

<sup>7</sup>L: yet it is.

<sup>9</sup>Om. by L.

<sup>11</sup>Om. by L.

<sup>4</sup>Crossed through.

<sup>5</sup>Crossed through.

<sup>6</sup>Crossed through.

<sup>8</sup>L: conteyned.

<sup>10</sup>L: shold.

may Appere to them of thesame Courte if they please to serche for it that the kynges grace is duly Answered as moche (as)<sup>1</sup> for the said causes as his grace is in that Courte / yet neuertheles processe is made yerly out of thesaid Courte to thesaid persons to cause them Answer thesaid Releves & fines ther not for Any profite or Auuntage that commethe to the kyng therby but only For the Fees & profites that touche some (of them)<sup>2</sup> officer ther whiche is more chargeable to partie & more to the vexacion troble & vnquietnes of thesame / then it is to paye them to the officers of suche landes in the Contrie<sup>3</sup> where thesame Releves & Fynes be due & shuld be payd./

Item if due serche & examynacion of & in the Customers Bookes wer made yerly by the othe of the Accomptaunt upon his or their Accomptes it myght fortune (to)<sup>4</sup> be tryed & founde that the Goodes of some merchauntes straingers be Shipped & conveyed out of this Realme & also brought into thesame Ayen by colour & vnder some englishe mens name / whereby the kynges grace is & so may be dissayved & hyndered yerly in his custoumes & subsidyes & that not litle &c.

[*fos. 4r and v, 5r blank*]

[*fo. 5v*] A goode Booke of Remembraunce for Mr Cromwell &c.<sup>5</sup>

## II

[*fo. 6r*]<sup>6</sup> Consideracions to move the kynges grace & his Counsell to provide remedye & reformation for certen causes & inconveniences herafter ensuyng whiche remedy shalbe very neccessarie & Also profitable for the kynges grace.

For patentes & leases made & graunted to the kynges Subgettes vnder Any of his Seales or otherwise off any lordeshippes or manours for terme of lyve or lyves or for terme of yeres in possession or in Reuercion.<sup>7</sup>

First touching such grauntes & leases diuerse & sondrie of the kynges lordeshippes & Manours be letten to Ferme but for the clere yerly value of the certen Rentes & Fermes of thesame or vnder besydes profites & Casualties of Courtes / And if Any off them be letten aboute the yerly value it is thought to be but for litle increase of rent or for small fyne as by thesame it may Appere &c.

Item for asmoche as ther is non officers nor other provided nor ordeyned in thesaid grauntes to levie & gader the Rialties and Casualties as Exchetes / Wardes / Mariages / Releves / wodes / underwodes & suche other as be reserued in thesaid grauntes to the kynges grace & his heires / the kyng by reason therof is nott duly Answered of the said profites as he owethe to be nor as he was wont to be when thesaid Manours & lordeshippes wer in his owne handes Accomptable to his hynderaunce & (yerly &c.)<sup>8</sup> damage yerly &c.

Item the kynges grace by reason of thesaid grauntes is hyndered in his prerogatyf as in yevyng in thesaid lordshippes & Manours the offices of Stewardship / Baliff / parker Feodary / wodewarde & suche other lyke offices havyng (like)<sup>9</sup>

<sup>1</sup>Occurs in L only.

<sup>2</sup>Crossed through.

<sup>3</sup>L: courte.

<sup>4</sup>Occurs in L only.

<sup>5</sup>This endorsement is written in a secretarial hand different both from the hand of the main text and from that of the title on fo. 1r. It is omitted by L.

<sup>6</sup>Identical paper and writing, but a separate gathering.

<sup>7</sup>This clause is written in the margin. In L it is written in an italic hand and placed in the main text after the following paragraph.

<sup>8</sup>Crossed through.

<sup>9</sup>Occurs in L only.

ordynary Fees to the same belonging / whiche the kynges grace was wont to yeve & rewarde his servauntes withe all / not mynysshing his Revenues of his landes & possessions otherwise out of his Coffers & Thesaury. &c.<sup>1</sup>

Item the wast & destruccions of the Kynges wodes in<sup>a</sup> parkes forestes & wodes in thesoid lordshippes & Manours / nor off the deare in thesoid parkes & Forestes ne the decayes & ruyn off Milnes Bridges & other buldinges or of the Copie holdes in the same noe yet the incrochementes of the landes of the kynges demeanes & Copiholdes made vnyte & adioyned vnto the Freholdes of the Fermers off thesoid lordshippes & Manours can nor wilbe presented found preferred or known as long as thesoid lordshippes & Manours be & contynue in the handes off thesoid Fermours / whiche is & wilbe in processe & contynuaunce of tyme to the hynderaunce & clere disherisen of the kynges grace & his heires for euer &c.<sup>2</sup>

- [fo. 6v] Item the Manrede & gouernaunce of the Tenauntes in thesoid Manours & lordshippes be at the commaundement of the Fermours of thesame during the terme of their seid lease & graunte whiche may be to the kynges hynderaunce & displeasure if thesoid Fermers shuld contrary to their bounden dutye<sup>4</sup> of Allegeaunce vse & mynde them selves to do otherwise then they shuld & owe to do &c.

Item in some off thesoid lordshippes & Manours be graunted the Advowson of the Chirches & also (all the)<sup>5</sup> wodes & underwodes whiche be moche preiudiciall & hurtfull vnto the kynges grace & hynderaunce in the preferment off his Chapleyns & seruauntes in that behalf.

Item the kynges tenauntes in diuerse of thesoid lordshippes & Manours be sore ordered & handeled by the Fermers of thesame as in (the)<sup>6</sup> takyng off large & excessyve fynes & other impositcions & charges of them otherwise then they were wont & Accustomed to be vsed or shuld be if thesame lordshippes & Manours wer in the kynges handes to ther great hynderaunce & impoverishment &c.<sup>7</sup>

for patentes of offices opteyned with larger fees & others then wer wont & Accustomed.<sup>8</sup>

Item diuerse & sondrie patentes For offices & Romes be opteyned off the kynges grace by diuerse of his seruauntes & subgettes withe more Ample & larger Fees Rewardes costes diettes & expences then they wer wont to be or Alowed in Anno xxiiijcio nuper Regis Henrici vijmi or befor whiche be very chargeable to the kynges grace yerly & his grace neuer the better serued for thesame &c.<sup>9</sup>

for patentes optayned to constitute & ordeyn Baliffes & other officers other then haue ben wont & Accustomed.<sup>8</sup>

Item diuerse & sondrie persons haue opteyned many offices & Romes withe speciall wordes in their patentes to constitute ordeyn & make Baliffes & other officers within their Roomes & offices vnder them in thesame withe Fees & wages due & accustomed for the exercise off thesoid offices wherby the kynges

<sup>1</sup>&c om. by L.

<sup>2</sup>&c om. by L.

<sup>3</sup>L: of.

<sup>7</sup>&c om. by L.

<sup>8</sup>This clause is written in the margin. In L it is written in the main text, but in an italic hand.

<sup>9</sup>&c om. by L.

<sup>a</sup>Inserted.

<sup>4</sup>Inserted.

<sup>6</sup>Occurs in L only.

grace is letted & hyndered to rewarde his owne seruauents with thesame & is otherwise charged out off his seid Coffers by reason therof mor then is expedient & neccessarie & diuerse & many other discommodities do & happen yerly to the kynges grace otherwise in that behalf/-

For officis of Constableness of Castelles Capteyns & keping of Fortresses & Manour places that require non actuell exercise &c.<sup>1</sup>

- Item diuerse of the kynges Subgettes sens the last acte of Resumpcion made in Anno vjto domini Regis nunc Henrici viijui haue opteyned new patentcs for offices off Constableshippes<sup>2</sup> & Capteyns of Castelles and also keping of Fortresses & manour places & suche others whiche be down<sup>3</sup> or require non actuelle exercise wherby his grace is charged [fo. 7r] moche mor & further yerly then he nedeth to be except his gracyouse pleasure / And his meane & pore seruantes haue Fewe or non suche offices as it is supposed &c.<sup>4</sup>

Item the leade Stone Tyle Tymber Glasse & yern & Also (all)<sup>5</sup> other Stuff & Store of & in diuerse of thesaid Castelles Manours & Fortresses be stolen purloyned & caried Awaye to the kynges prejudice & hynderaunce & to the vtter distrucion of thesame Castelles Manour places & Fortresses &c.

Item Md. for iont patentcs off offices & Roomes & reuercions of thesame wherby the kyng is put From his libertie & dothe susteyn great losse by thesame/-

The remedye & prouicion in & for the premisses is to haue An Acte of resumpcion<sup>6</sup> in this present parlyament to be made if it so shall please the kynges grace & his most honourable Counsell / And if percas Any reasonable cause shalbe to move the kynges grace & his seid Counsell to the contrary in Any off thesaid Articles Then his grace by the Advise of his seid Counsell may graunte to the partie A prouiso in thesame Acte or elles to graunte A newe patent in that behalf by the whiche the kynges grace shall & may take Auantage & profite by the Seale/-

[fo. 7v blank]

### III

[fo. 8r]<sup>7</sup> Wher greate rumour and exclamacion is made of the Courte off theshequyer and A bill therof exhibit and brought into the parlyament howse for prouicion and remedy therin to be made and had / I haue conceived in myn owne mynd and opinyon by protestacion and vnder better reformation the best wey and next remedy in that behalf as hereafter dothe ensue / And as for All the remedies conteyned in thesaid bill or otherwise will but easly prevayle at lenght As I suppose without this prouicion folowyng be performed and executed:-

First if<sup>8</sup> it may please the kynges grace to ordre & establishe thesaid Courte after the olde laudable<sup>9</sup> vse & custome as it hath ben hertofore vsed it will Amend

<sup>1</sup>This clause is written in the margin. In L it is written in the main text, but in an italic hand.

<sup>2</sup>After 'Constableshippes' an unidentifiable word is crossed through.

<sup>3</sup>L: done.

<sup>4</sup>&c om. by L.

<sup>5</sup>Occurs in L only.

<sup>6</sup>reformacon crossed through, and resumpcion inserted.

<sup>7</sup>Identical paper and writing, but a separate gathering.

<sup>8</sup>if om. by L.

<sup>9</sup>laudable crossed through.

& redresse all the hole mater & cause / that is to wit to constitute make & ordeyn the cheif Baron of thesaid Courte & the ijde Baron suche as be well & substancially lernend in the lawes off this Realme to Answer the Barre for lernyng suche as be ther nowe at this tyme / And the thre other Barons to be elected & chosen of the Courte self<sup>1</sup> wherof ij of them to be taken out of thoffices of the kynges Remembrauncer / the Treasurers Remembrauncer or (the)<sup>2</sup> pipe & the ijde out &<sup>3</sup> from thoffice of An Auditour suche as shalbe thought most expert & convenyent And these iij Barons to be chosen & named by thadvise & counsell of the hole courte or the most & better part of thesaid Courte / then<sup>4</sup> the Kynges grace shalbe well truly & honorably scrved & the goode & due order of thesaid Courte well kept & executed /

Item if<sup>5</sup> it may please Also the kynges grace to constitute make & ordeyn the vnder Treasurer of thesaid Courte after thesaid olde vsage & custom that is to wit to be named elect & chosen out & from oon off thesaid offices & Romes or Any other that hath ben brought vpp in the said Courte & hath good experyence of the course of thesame by thadvise & Counsell of thesaid Barons then &c.

Item if thesaid Auditours<sup>6</sup> of thesaid Courte maybe made elect & chosen of the most expert<sup>7</sup> & Conuenyent Clerkes After the decease of their Masters brought vp in thesame office or in Any of them by thadvise & Councell of thesaid Barons / And that thesame Auditours nor Any<sup>8</sup> of their Clerkes in Any wise shalbe or exercise Any maner of office or offices of Customership or Controller of thesame nor Any office or offices of Shiriefwibe Exchetour or Bailif of libertie & Fraunches nother for hymselfe nor as deputie for or vnder Any other person [fo. 8v] or persons in Any of the said offices & Romes for the tyme & aslong as he shalbe Auditour off thesaid Courte or Clerke to Any Auditour in thesame Courte then &c.

Item that<sup>9</sup> thesaid Remembrauncers Aswell for the kynges part as for the lorde Treasurers part as also the clerk of the pipe maybe named elect & chosen in & From thesame Roomes suche as be most expert Able & convenyent to all purposes by thadvise And Counsell of thesaid Barons likewise & in suche fasshon as it hathe byn accustomed & vsed in thesaid Courte in tymes past then &c.

Item that euery Auditour & Auditours of the kynges landes Revenuez possessions & all others conteyned in the Cedula rem' with the generall Surveyours may yerly take receive & here all & singuler Accomptes of the Receivours generall within there Circuytes & Roomes & in euery of them And that the viewes in paper of all & euery of thesaid Accomptes by them so taken received & herd may & shalbe delyuered by thesame Auditour into thesaid Courte to thesaid Barons or to ij of them wherof on (of them)<sup>10</sup> to be of the Course<sup>11</sup> of thesaid Courte before the last day (the)<sup>12</sup> of brekyng vp of<sup>13</sup> thesaid Courte after hillary terme yerly /

Item that the lord Treasurer for the tyme being thesaid Barons Chauncelour & vnder Treasurer of thesaid Courte or iij of them at the lest wherof on of them to be the Baron elect & chosen from the roome & office of thesaid Auditours & the Auditour of thesaid landes & of all other the premisses may & shall viewe here & fully determyne yerly all & singuler thesaid Accomptes of generall

<sup>1</sup>L: itself.

<sup>2</sup>& om. by L.

<sup>3</sup>If om. by L.

<sup>7</sup>pt crossed through.

<sup>9</sup>of the Course om. by L.

<sup>11</sup>the same crossed through.

<sup>3</sup>Crossed through; but left standing in L.

<sup>4</sup>Inserted.

<sup>6</sup>Courte crossed through.

<sup>8</sup>Occurs in L only.

<sup>10</sup>Occurs in L only.



Receivours of thesaid landes Revenuez & possessions nott only touching the chargex but Also the discharges of and in thesaid Accomptes & in euery of them aswell by vertue of Any of the kynges warrauntes as by their discrecions / Any Course custome or vsage in thesaid Courte hertofor hadd or vsed to the contrary perof notwithstanding:/

- Item that euery of thesaid Accomptes<sup>1</sup> be herd & fully determyned yerly by thesaid lord Treasurer Barons Chauncelour & vnder Treasurer of thesaid Courte for the tyme being or iij of them at the lest wherof on to be the Baron chosen from the seid offices off Auditours And the Auditour of thesaid Accompt for the tyme beyng befor the xxxiiij<sup>th</sup> day of Marche yerly for one hole yer endyng At Mighelmas next befor / whiche Accompt or Accomptes so by them determyned to be ingrosed in parchement after thassise & Scantlen of thesaid pipe in [fo. 9r] the seid Courte by the Auditour or Auditours of thesame Accompt or Accomptes and to be deluyered into thesaid Courte by thesaid lorde Treasurer Barons Chauncelour vnder Treasurer & Auditour or ij of them at the lest whiche were at the examynacion heryng & determynacion of thesaid Accompt or Accomptes subscribed withe their handes yerly befor the last day of Ester terme next after the determynacion of thesaid accomptes for thesaid hole yer ending at the Fest off seynt Mighell tharchaugell next befor / ther to remayne of Recorde in the seid office of the pipe Aswell for the kynges suertie as for the full discharge & clere Acquitall of the partie for euer:/

Item that nother thesaid Barons or Any of them nor vnder Treasurer shall haue or kepe Any other maner of office or offices in thesaid Courte after they be admytted into their Roomes of A Baron or Vnder Treasurer / &c.

Item that euery Auditour & Auditours of thesaid landes & of other the premisses may & shall yerly make a declaracion in paper of the generall Recevours Accompt within their seid offices & Roomes redy to be deluyered to the kynges grace at his pleasure or to suche of his most honorable Counsell as it shall please his grace to Assigne to receve it befor thend of euery Ester terme yerly wherby it shall & may Appere the state & good order aswell of his seid landes as of all this his Realme:/

Yff it may please the kynges grace to take this seid order & direccion in his seid Courte / it is nott to be doubted but aswell the good<sup>2</sup> ordonaunce in thesaid Courte redy made & prouidet wilbe well observed & kept / as also diuerse & many inconvenyences & mysorders nowe vsed in thesaid Courte / mo then be conteyned in thesaid bill exhibit into thesaid parliament howse may & wilbe reformed & redressed without Any further or oder prouicion in that behalf elleswher to be made / And more ouer his grace by thesame order & meanes may save foure or fyve hundreth merkes yerly in his Coffers withe the whiche his grace is charged nowe yerly more then nedeth / sayng his gracyous favour And pleasure if thesaid order wer taken folowed & executed:/

[fos. 9v, 10r and v blank]

*University of London MS. No. 9.*

[pp. 1 to 40 the duties and fees of most of the officers of the upper exchequer] . . .

[p. 40] . . . The causes of the grudges and euill reportes of the said courtes<sup>3</sup>

[p. 41] And so it (is)<sup>4</sup> that the manifold grudges and euill reportes haue bene

<sup>1</sup>L: Accomptauntes.

<sup>2</sup>Indented and written in an italic hand.

<sup>3</sup>order & goode inserted.

<sup>4</sup>Inserted.

made and hadd of the said corte and ageynst the mynisters of the same the causis therof be diuers but in especiall one is this

That all maner of ~~ysues~~ forfeite fynes Amercementes recognisances forfeited for any causes, and all maner of other somes of mony forfeited & lost before the kinge in his Chancerie, before the kinge in his Bench, before the kinges Justices in the common place, before the Barons of the kinges Exchequire, before all manner of Justices of Assises Eyer and determiner gaole deliuey Justices of the peace in euery sheire Citty & Towne made sheires, and before all other Comissioners sitting by ye kinges Commission be yerely extrected and deliuered into theschequire, And owte of yt [*that*] corte is made processe of execution to the sherreifes to make levey of all the saide [*p. 42*] ~~ysues~~ and other somes abouesaid which thinge caeseth greate rumor and slander vppon the said corte / For so much as the losses of the more parte therof groweth in other courtes, And not in that corte

An other cause there is for greate charge of fees of the corte which Accomptauntes haue bene charged with before this tyme

For remedy wherof there be too tables hanged vp in the said courte and an other (of)<sup>1</sup> in theschequire chamber in which tables it appeareth to euery persones Accomptauntes and other what he ought to pay in euery Rome and office & wherof he ought to pay any fee or some of mony, According to an ordinance made and provided therof by (therof)<sup>1</sup> the lordes then of the kinges most honorable counsell in the steare chamber in the xxxiiijth yere of the raigne of kinge Henry the vijth

[*p. 43*] And for the due (examinacion)<sup>1</sup> execution of the said ordinance the said Barons of the said courte do cause euery shirreife Eschetor and other Accomptauntes there at thende of his Accompte to bringe in by his othe a bill of the fees paid in the said corte for any thinge concerninge his Accompte which bill the Barons doe duely examine, and therin doe further accordinge to Justice which (ordinance)<sup>2</sup> before said is redy to be shewed to your grace

Also much processe by writte is made owte of the said Exchequire ageynst collectors of tayles & other subseideis & other officers Accomptaunte, and other the kinges dettors which processe many tymes is full euill executed aswell by sherreifes, for that that [*sic*] many of ye said persons be of litle or noe substaunce as for fauor to many of them shewed by the saide sherreifes vppon the retornes of which processe if if [*sic*] the Barons may be lerned of the sufficiency of ye said persons then they do amerce the said shirreifes by ther discrecion as the case doth require

[*p. 44*] Also it is said that thaccomptauntes be mucche delayed in the said corte and cannot be deliuered in convenient tyme

And one especiall cause(s)<sup>1</sup> (is)<sup>2</sup> for Eschetors whoses accomptes be so longe and prolix that the writtinge of ther parcelles and of there accomtes doth occupy a longe season, For remidy wherof the Barons haue appoynted to sett together and abrige yt [*that*] busines and to bringe them into as shorte Bookes as can be thought good so yt [*that*] ye kinges right may alway appere

And as to the greate number of writtes that termely be deliuered owte (of)<sup>2</sup> the said courte so it is yt [*that*] the charge and burthen therof resteth only to the officers of the said courte and not to the(m)<sup>1</sup> kinges grace For asmuch shall the currouy or messenger haue & take of the kinge for coueyng forthe of too writtes

<sup>1</sup>Crossed through.

<sup>2</sup>Inserted.

into a sheire, as he shall take for an hundreth which owlde processe (wherof no profite may come nor growe to the kinges grace,t)<sup>1</sup> [p. 45] wherof noe profite may come nor growe to the kinges grace. the said officers wolde be right gladd to ease if it may please the kinges grace to graunte vnto them a sufficient warrante so to doe as before this tyme hath be granted in case like

- And if there be any other thinges misordered or not duely executed in the said courte the said Barons at all tymes wilbe redy to here and knowe them and by the commandement of your grace and the good aduise and assistance of my lord of Norfolk thesaurer and hed officer of the said courte to putt due reformation therin to the Beste of there powers

[p. 46 blank, pp. 47-72 copy of the three Northamptonshire tracts]

### *Proceedings in the House of Commons, 1721-2*

AMONG THE Dashwood papers in the Bodleian Library are some notes of debates in the house of commons made by Samuel Sandys, M.P., including a fragment of a diary covering the years 1721 to 1723. The second part, which deals with the session 1722-3, appears as an appendix to *The Parliamentary Diary of Sir Edward Knatchbull, 1722-1730* (Royal Historical Society, Camden Third Series, vol. xciv). The first part, MS. dd. Dashwood (Bucks), c. 16, fos. 1-8v, covers parts of sessions 1720-1 and 1721-2, and is printed now for the first time.

My thanks are due to Sir John Dashwood, Bart., the owner of the manuscript, for permission to publish it, and to the History of Parliament Trust for assistance they have given. In transcribing, all contractions have been expanded where this can be done safely, spelling and punctuation modernized where necessary, and any errors of date or numbers noted where these can be checked against the *Journals of the House of Commons*.

A. N. NEWMAN

*Bodleian Library, MS. dd. Dashwood (Bucks) c. 16, fos. 1-8v.*

[28 Feb. 1721: See below]

March 3rd 1721<sup>2</sup>: On a doubt whether Sir George Caswal could retake his place if once withdrawn etc. the Question went against him. Mr Speaker said every Member formerly withdrew before the Question was put but when any question was proposed he might be called in again and the Speaker must acquaint him with it. Case of Mr Isaacson expelled Friday 10th day of February, 10th of King William, 1699.<sup>3</sup> An order made the same day [10 Feb. 1699] against standing at the Bar or behind the Chair and against standing or sitting in the passages or upon the steps leading to the Benches.<sup>4</sup>

<sup>1</sup> Crossed through.

<sup>2</sup> MS. has March 4th 1720 [i.e. old style].

<sup>3</sup> MS. has 1698 [i.e. old style]. James Isaackson was expelled because he was a Commissioner of the Stamp Duties.

<sup>4</sup> Reaffirmed 16 Feb. 1721.





Lieutenant Gen: in 1710, should remain part of the bill; the House divided,  
noes went out,

ayes 44

noes 11

I voted with the Minority

N.B. This Clause was cut out at the 3rd reading at Lord Carpenter's request.

[Thursday] Jovis 14 Dec: A motion was made that the further Consideration of the report of the Bill for amending the Highways from Brampton Bridge to Welford Bridge in Northamptonshire be adjourned to Saturday next, the House divided, ayes went out.

ayes 23

noes 96

I voted with the Majority [fo. 57]

- [Tuesday] Martis 19 Dec: A Motion was made by General Ross that Mr Speaker do write circular letters and the House divided.

ayes went out

ayes 43

noes 97

I voted with the minority

[Tuesday] Martis 9 Jan: A Motion was made by Mr Smith upon hearing the return for Minehead that J. Vacary and J. Sherry, having presumed to act as returning officer at the late Election, are guilty of a high crime and Misdemeanour. The House divided, ayes go forth

ayes 72

noes 64

I voted with the minority

A Motion was made that the further hearing the petition of J. Thomas and Floyd Constables of Minehead be adjourned to this day fortnight. House divided ayes went forth

ayes 66

noes 50

I voted with the Majority [fo. 57]

[Monday] Lunae 15 Jan: 1722<sup>1</sup> A Motion was made by Mr Hutchinson and seconded by Mr Freeman that leave be given to bring in a bill to repeal so much of an act passed last Year intituled *an Act for repealing an Act made in the 9th Year of the reign of her late Majesty intituled an Act to oblige Ships coming from places infected more effectually to perform Quarantain &c* as gives a power to remove to a Ship Lazaret or Pesthouse any person whatsoever infected with the plague and the House divided, ayes went out

I voted with the Minority

ayes 115

noes 75

[Thursday] Jovis 18 Jan: A Motion was made by Mr Palmer and seconded by Sir John H. Cotton That Sir R. Lane Kt being a Candidate at the Election of a Burgess to serve in this present Parliament for Minehead is guilty of a Crime in receiving and detaining the writ directed to the Sheriff. House divided ayes went out

I voted with the Majority

ayes 71

noes 110 [fo. 67]

<sup>1</sup>MS. has Jan. 14th.



[Thursday] Jovis 1 Feb: Sir J. Cope having charged Mr Baron Page with endeavouring to corrupt the Borough of Banbury.<sup>1</sup>

Ordered that this Complaint be heard on Tuesday sevensnight.

N.B. it was referred to next day for the method of proceeding Mr Speaker not remembering precedents for it.

[Friday] Ven: 2d Feb: Ordered that the Complaint made by Sir J. Cope be by him put into writing and declared to the Clerk and that a copy be delivered to Mr Baron Page.

N.B. this was copied from a precedent. In 1702 Morley was accused of Bribery in relation to his Election. Vide Journal pages 17 & 41 &c<sup>2</sup> [fo. 7<sup>o</sup>]

[Thursday] Jovis 8th Feb: Upon the report of the Bill for paying off and Cancelling one million of Exchequer bills &c, a Motion was made that a Clause to enable the South Sea Company to pay their debts by disposing of their Effects might be brought up the House divided Ayes went out

Ayes 37

Noes 76

I voted with the Majority

[Tuesday] Martis 13 Feb: A Motion was made that the hearing the matter of the Charge against Mr Baron Page at the Bar of the house be discharged. The House divided ayes went out

ayes 135

noes 173

I voted with the Minority

N.B. those that were for discharging the house of it were for referring it to a Committee because it was doubted whether it was convenient for the house to examine upon Oath as had been proposed by Sir J. Cope and others, the usual method having been by Committees. [fo. 8<sup>o</sup>] A Motion was made by Mr Hutchinson that the Witnesses to be examined in the Charge against Baron Page at the bar of the house be examined in the Most Solemn Manner. The previous Question was put. House divided, Noes went out

ayes 142

noes 144

I voted with the Minority

N.B. the Court vehement opposed these Questions

[Wednesday] Mercurii 14 Feb: A Motion was made that it appears to this House that Sir J. Cope hath made good his Charge against Mr Baron Page. House divided Ayes went out

ayes 124

noes 128

I voted with the Minority

[Tuesday] Martis 20th [Feb.]<sup>3</sup>: Upon the report of the bill prolonging the time for determining claims upon the late South Sea Directors &c a Clause was

<sup>1</sup>Page had offered to pave the streets, enlarge the vicarage, and build a school.

<sup>2</sup>See *Commons Journals*, xiv. 5, 10, 47, 48—24, 27 Oct., 26, 27 Nov. 1702. The page references are to the manuscript journal.

<sup>3</sup>MS. omits month.



212 PROCEEDINGS IN THE HOUSE OF COMMONS, 1721-2

offered by Lord Morpeth to explain a clause passed in an Act of last year relating to special bail. The contents of it was that no special bail should be demanded in actions upon Contracts for S. S. Stock [*fo. 8<sup>o</sup>*] which was reduced by the house to one year and then upon the Question that it be made part of the bill the house divided ayes went out

• ayes 74

noes 41

I voted with the Minority

## Historical News

IT IS SOBERING to compare what is being done officially in the United Kingdom for British records (*ante*, xxxv. 98) with what the government of the United States is doing to make the papers of America's great men available to scholars. What has been achieved and what has been planned since the Federal Records Act of 1950 is summarized in *A Report to the President containing a proposal by the National Historical Publications Commission to meet existing and anticipated needs over the next ten years under a national program for the collection, preservation and publication, or dissemination by other means, of the documentary sources of American history* (Washington, General Services Administration, 1963). Appendix B contains a progress report on the projects initiated or endorsed by the Commission, beginning with *The Papers of Thomas Jefferson*, sixteen volumes of which have so far been published out of the fifty-two planned. Other publications on a similarly generous scale have already started to appear for the papers of Benjamin Franklin, Alexander Hamilton, James Madison, the Adams family, John C. Calhoun, Henry Clay, John Dickinson, John Jay, Andrew Johnson, John Marshall, Woodrow Wilson and F. D. Roosevelt, not to mention a considerable number of lesser figures. Further enterprises promoted by the Commission will make available, either in print or in photocopied form, the personal papers of most of the presidents, and fill gaps in the already printed material on secretaries of state, congressional leaders, justices of the Supreme Court, ambassadors and other significant figures. The new series of *Public Papers of the Presidents* is being published on a current and retrospective basis. For the beginnings of the Republic there will be huge collections of *Naval and Maritime Documents of the American Revolution*, a *Documentary History of the First Federal Congress* and an edition of records of the Continental Congress not previously published. For what is not appearing in print there will be microfilms, with printed Indexes. The National Historical Publications Commission either promotes or co-ordinates all these activities: the invaluable *Guide to Archives and Manuscripts in the United States* (Yale U.P., 1961) was its direct responsibility. It has also taken over from the American Historical Association the compilation of the annual bibliography of *Writings on American History*. The Commission has asked the United States government for an annual appropriation of half a million dollars to continue its splendid work. This expenditure will be in addition to the very large grants already made towards the cost of the projects mentioned by state and local authorities, foundations and private individuals.

\* \* \* \* \*

Several informal conferences of British historians have been held at Cumberland Lodge, Windsor Great Park, during the past two years, with the object of making the opportunities for historical research in Great Britain, particularly outside London, better known to students and to visitors from overseas. Some of the suggestions made are now being carried out, such as the publication of a *Guide to Research Facilities in History* in the universities of the United Kingdom, prepared by Dr. G. Kitson Clark and Dr. G. R. Elton. Meanwhile the National Register of Archives has followed up another suggestion by issuing a useful leaflet describing the *Facilities offered to Students* at Quality House. Particularly noteworthy are the statements that all the reports received from local record offices and elsewhere are now reproduced at the Register's central office and that copies are distributed to the five copyright libraries, to the Public Record Office of Northern Ireland, the Scottish Record Office, the John Rylands Library at Manchester and the Institute of Historical Research in London, 'as well as to the local record offices and libraries concerned'. The only complete set of reports (already numbering several thousand) is, however, filed at Quality House, where essential indexes are also kept, and where, as many Institute readers can testify, 'the staff are always ready to offer advice and guidance if required'.

\* \* \* \* \*

The Thirty-Sixth Anglo-American Conference of Historians was held at the University of London on Thursday, Friday and Saturday, 11, 12 and 13 July 1963. There were the customary two general meetings and ten section meetings, which took place either in the Beveridge Hall of the Senate House or in the England Room at the Institute of Historical Research. The total enrolment was 452, of whom 92 were from the United States of America and Commonwealth countries. At the opening meeting, over which Professor C. F. Brand presided, Professor J. Hurstfield read a paper with the title "An Age of Political Corruption"? Some historical problems and criteria'. The closing meeting was addressed by Professor J. H. Franklin on 'The Military Occupation of the South, 1865-7', with Professor H. H. Bellot in the chair. The various sections of the Conference heard papers on the following subjects: 'The Historical Interest of the Alfredian Translations', by Professor Dorothy Whitelock; 'The Geographical Expansion of the New Monastic Orders in Western Europe, c. 1050-c. 1150', by Mr. J. C. Dickinson; 'Learning and Heresy in the Later Middle Ages', by Dr. G. Leff; 'The Education of the Nobility in Later Medieval England', by Mr. K. B. McFarlane; 'Elizabethan Separatism', by Professor L. H. Carlson; 'The Union of the Crowns of England and Scotland', by Professor D. H. Willson; 'British Policy towards the United States, 1783-93', by Professor C. R. Ritcheson; 'Bonaparte at Boulogne and the Defence of Britain', by Professor R. G. Glover; 'The



'Rise of Disraeli', by Mr. R. N. W. Blake, and 'British Railroad Builders along the Lower Danube, 1856-69', by Dr. J. H. Jensen.

On the first afternoon the Vice-Chancellor, Dr. P. S. Noble, received members of the Conference in the Macmillan Hall of the Senate House. There were Buffet Luncheons on the Friday and Saturday, a tea party given by the Institute on Friday and the Conference Dinner at the Connaught Rooms that evening. Professor Helen Cam proposed the toast of the visitors from overseas and Dr. E. D. Myers responded. The annual garden party of the Royal Historical Society was as usual held on the Saturday afternoon after the close of the Conference. The annual exhibition in the Institute of historical works published in England during the previous twelve months attracted much attention and the useful catalogue was quickly sold out. At the business meeting of the Conference it was decided to hold a similar short one from 9 to 11 July 1964. Particulars may be obtained from the Secretary of the Institute of Historical Research, University of London, Senate House, London, W.C.1.



Under the auspices of the British and Soviet National Committees of the International Congress of Historical Sciences, a small Anglo-Soviet Conference met in London during the week 23-28 September 1963. Similar Conferences had been previously held in London during 1958 (*ante*, xxxi. 229) and in Moscow during 1960 (*ante*, xxxiii. 236). The third Conference took place at the Institute of Historical Research and the School of Slavonic and East European Studies, where the following papers were read by British and Soviet scholars: 'Results of the USSR Academy of Sciences archaeological expedition to Nubia, 1961-3' (Professor B. B. Piotrovsky); 'The changing position of slaves in 6th-century Byzantium: mainly based on data from the Laws of Justinian' (Professor Z. V. Udaltsova); 'Soviet historiography on Baltic trade between Russia and Western European countries in the seventeenth century' (Professor L. V. Tcherepnin); 'Current problems of the history of the mid-seventeenth-century English Revolution' (Mr. D. H. Pennington); 'English Enlightenment in the eighteenth century' (Professor A. B. C. Cobban); 'Russo-British relations during the Napoleonic Wars, with special reference to the Continental Blockade' (Dr. M. S. Anderson); 'The British labour movement at the end of the nineteenth and beginning of the twentieth century' (Professor Kh. B. Chernyak) and 'Treatment of the twentieth-century British labour movement in English historiography' (Dr. H. M. Pelling). In addition to the paper readers the Soviet party included Professor V. G. Truchanovsky, who led the Soviet delegation.

Hotel and transport arrangements were made by the Soviet Relations Committee of the British Council, who also took the Soviet party on various excursions. The Vice-Chancellor of the University of London entertained them with other guests to dinner, and on a day's excursion to

Cambridge they visited a number of colleges and lunched at Magdalene College. A number of small luncheon and dinner parties were arranged and on the last night a dinner was given at University College, London, by the British National Committee. At a final business meeting the value of these exchanges was emphasised and it was decided to continue holding such Conferences.

## Summaries of Theses

### 246. *British Historical Writing from Alexander Dow to Mountstuart Elphinstone on Muslim India.* By J. S. GREWAL, Ph.D.

IN THIS PERIOD of over seventy years (1768-1841) the development of British historical writing on Muslim India was intimately connected with the course of contemporary expansion of British rule in India and of the response to the problems created by that expansion in British public life. The intellectual, literary and religious interests of the time as well as the personal idiosyncrasies of the historians were equally influential. Nonetheless, though it was related to British historiography in general, British historical writing on Muslim India has certain individual aspects.

The period started with the work of Alexander Dow who, though generally regarded as merely a translator of 'Firishta', was the first general historian of Indo-Muslim politics. Late eighteenth-century servants of the East India Company, Dow's immediate successors, had extended the field of inquiry by their studies of Indo-Muslim laws and government as well as Muslim Indian politics. While Edward Gibbon created a new image of Islamic civilization with asides and reflections on the economic, social and cultural aspects of Muslim history, Sir William Jones attempted a rediscovery of the whole of Hindu civilization.

With this background the Evangelicals and the Utilitarians, represented in the early nineteenth century by Charles Grant and James Mill, approached Muslim Indian history through the study of Indian societies and civilizations, past and present, to identify imperial responsibility with moral imperialism in British India, thus marking a sharp break with the attitudes of their predecessors.

Reactions to moral imperialism influenced the course and the character of early nineteenth-century British historical work on Muslim India. Some Anglo-Indians, like Vans Kennedy, questioned the validity of moral judgments on Indian societies; others, like John Briggs, underlined the insufficiency of evidence for such judgments. At the same time, the Romantics, like James Tod and James Grant Duff, repudiated moral imperialism in India by bringing out the best in the subjects of their studies. On the other hand the Anglo-Indians provided suitable material for the tory G. R. Gleig, whose opposition to radical social change in British India was little more than an extrapolation of his opposition to radicalism at home.

This period of British historical writing on Muslim India came to its close with the work of Mountstuart Elphinstone. Not only did he sum up existing knowledge of Muslim Indian history but he also represented several of the assumptions and attitudes which had characterized this period. His intellectual kinship with the Enlightenment is evident from his lifelong appreciation for Hume and Gibbon; his values of judgment too were those of the Enlightenment. Nevertheless he studied the Indian past, both Hindu and Indo-Muslim, with a sympathy which is as palpable in his work as in that of the Romantics like Tod

and Grant Duff. Without any sympathy for the moral imperialism preached by the Utilitarians and the Evangelicals, he wished and worked for an intellectual and moral regeneration which allowed no sharp break with India's past. His hopes for a 'civilized' India in the future were strengthened by his view of Indian history.

This thesis is based on the major relevant works of the following writers of the period: Alexander Dow, Francis Gladwin, William Kirkpatrick, Charles Hamilton, Major Davy, Jonathan Scott, William Francklin, Edward Gibbon, Sir William Jones, David Price, William Robertson, Thomas Maurice, Charles Grant, James Mill, Vans Kennedy, William Erskine, Mark Wilks, John Briggs, James Grant Duff, James Tod, G. R. Gleig, Mountstuart Elphinstone.

247. *Anglo-Swiss Relations, 1845-60.* By ANN G. IMLAH, Ph.D.

THE INQUIRING visitor to Switzerland may perhaps be surprised to discover that Swiss neutrality was far from axiomatic in the political disputes of the early nineteenth century. The Swiss question (an 'infernal' one, as one British diplomat described it) was usually secondary in the shifting European equilibrium, but, until after the Crimean war, it was a source of worry which sometimes threatened to drag Europe into war. Preservation of the little country was important to Britain for hard political reasons and, because the British could have no territorial interest in Switzerland, the Swiss were inclined to trust them. While nineteenth-century Switzerland and Britain's relation to it have been studied in detail by some continental historians, the subject has received relatively little attention in the English language. Similarly, writers on Swiss history and foreign relations have drawn their information primarily from continental sources, while many unused documents are available in England. Hence, the subject of this thesis is of interest for its examination of two matters, the British role in Swiss foreign relations and the development of Swiss neutrality in some of its international aspects during a critical period.

When the Swiss emerged from Napoleonic tutelage in 1814, they formed a loose confederation of twenty-two sovereign cantons, an appropriate form of constitution because of the wide differences among the cantons, in language, religion, tradition and wealth and because of the fear of some powers that a stronger political organization in the heart of Europe would endanger the peace. The 1815 guarantee of Swiss neutrality reflected a desire for a weak buffer state between Austria and France. In the next thirty years, economic forces in Switzerland grew to require a more unified central government. After 1830, several conservative cantonal governments were replaced by more liberal ones and the movement for constitutional revision gained pace. Opposing the movement toward unification were the Catholic church and the conservative continental powers; in 1845, in desperation, the conservative cantons formed a separate league, or 'Sonderbund', as a defence against the (liberal) radicals within the confederation. Since the Sonderbund was unconstitutional, it aggravated animosity between conservatives and radicals. The situation reached a crisis in November 1847, when the Sonderbund was forced to submit to the radical majority after a brief civil war.

Because the powers took a great interest in the Sonderbund struggle, one is tempted to view it as a victory of liberalism over conservatism, and thus a

favourable augury for the revolutions of the following year; Palmerston becomes the champion of liberalism and Metternich and Guizot appear as Machiavellian reactionaries. This is a most inaccurate explanation. British policy aimed at restraining the radicals and preventing war, although Britain was clearly better informed about radical strength than the other powers. Palmerston was not pleased with the radical plans for constitutional revision, as he understood them, and he feared that war in Switzerland would destroy the system of European peace. He made several attempts to avert a showdown, in correspondence with both the Swiss and the other powers. When Guizot proposed a joint offer of mediation, Palmerston's amendments were designed to prevent any of the powers from intervening militarily. To press British counsels of moderation, Sir Stratford Canning was sent to Switzerland to urge acceptance of the offer or, if the war was already over, as it in fact was, to encourage the victorious radicals to keep to policies which would conciliate the other powers. The Canning mission had a powerful effect, as a mediation between the Swiss radicals and the continental powers.

Swiss consolidation under a new constitution took place very quickly and effectively. Unification of currency, standards of measure, the postal system and commercial policy paved the way for faster industrial development, but Swiss foreign relations were still not easy. Liberalism had not won generally in Europe in 1848, so that the neighbouring governments were suspicious of the 'red republican' regime in Switzerland and eager to find ways of restoring a more conservative one there. To bring down the radicals, the conservative powers hoped to persuade Europe to approve intervention because the Swiss were not fulfilling their international obligations. For this, two pretexts were used. One was the refugee question. The conservative neighbours of Switzerland had always been nervous about refugees taking up residence near their own frontiers, and the Swiss refused demands of expulsion for refugees who were not found to be breaking Swiss law. The powers threatened invasion or blockade on several occasions: the German Confederation in 1848-9, and France in 1849 and 1852; Austria actually closed the Lombard frontier in 1848 and from 1853 to 1855. In several of these disputes, Britain took an important role, by sending more accurate information to the powers concerned, and by urging the Swiss to take reasonable measures against the refugees. The threatening power often used British good offices to resolve the difficulty, since, in every case, the European constellations of power required the preservation of Switzerland. The second pretext was the status of Neuchâtel, a canton which, according to the 1815 treaty, was a principality of the king of Prussia as well as being a full member of the Swiss confederation. The royalist cantonal government was overthrown by the republicans in 1848, but Frederick William IV refused to recognize the new regime. In the following years, exaggerated reports of royalist strength and his strong dislike of the liberal institutions of Switzerland persuaded him to press the powers for restoration to his legal position in Neuchâtel. Prussian pressure on other European governments was so strong in 1852 (when, it should be noted, the powers wanted Prussian agreement on Schleswig-Holstein) that a protocol was signed in London recognizing the king's position and promising a conference to settle the matter, but, at the same time, prohibiting any use of force by Prussia to return the royalists to power. Dissatisfied with this incomplete solution, Prussia kept up pressure on Britain in 1853 and as part of the diplomacy over the Crimean war. In September 1856, the royalists



attempted a revolution in Neuchâtel; they failed, but the subsequent negotiations over the fate of the prisoners came near to dragging Switzerland into war again. Frederick William had the ambiguous support of Napoleon III as he threatened to invade Switzerland; the Swiss mobilized with a great display of national determination, and Palmerston and Clarendon discussed what measures Britain would take against Prussia. Fortunately, hostilities were averted at the eleventh hour by a Swiss concession, but several more months passed in negotiations among the powers before Frederick William would renounce his claims. British diplomacy was crucial in the resolution of this problem. As before, its aim was the preservation of peace in central Europe; Clarendon repeatedly warned Prussia (and the other powers) of the dangers of rekindling revolutionary flames by attacking Switzerland.

With the settlement of the Neuchâtel question in May 1857, the European powers gave up their attempts to bring about a change of government in Switzerland. The balance of power operated against intervention and, furthermore, Swiss political stability was increasingly respected as the economy became stronger. The growing population demanded more imported goods and, correspondingly, their export trade with all parts of the world was expanding rapidly. A treaty of friendship and commerce, signed in 1855, reflected some importance for Anglo-Swiss economic relations. The Swiss economy was of increasing interest to Britain for its commercial opportunities and as an outlet for British investment; the Swiss were buying raw materials from Britain and were using British technical and commercial help. Although it is difficult to find precise information about Anglo-Swiss trade, its volume probably tripled between 1851 and 1860; since a large part of this came from or was destined for overseas, it may have represented as much as thirty per cent of the British re-export and transit trades. Increasing Anglo-Swiss trade contributed to greater British interest and sympathy for Swiss affairs generally.

Switzerland faced another challenge in 1860. As part of the 1815 scheme of neutralization of central Europe, the powers had agreed that if two of Switzerland's neighbours were at war, the Swiss should occupy North Savoy to facilitate their defence. Alarmed at the prospect of French annexation of Savoy, and control of more of their frontier, the Swiss claimed some of North Savoy for themselves, on the basis of the 1815 settlement, arguing that their neutrality, and defences, would otherwise be in grave danger. Napoleon at first agreed to cede all the territory that the Swiss asked for, but he changed his mind just before the transfer of Savoy to France became public. The Swiss bombarded the French government with protests and the British government with appeals for help. Palmerston and Russell responded to the Swiss appeal, partly because of pressure from British public opinion; they in turn bombarded the French and other powers with arguments both against the annexation of any territory to France and in favour of some cession by France to Switzerland. This was not up to the reasoned standard of British policy toward Switzerland in previous crises; the threat was hypothetical for Switzerland and for the system of peace in central Europe. Britain did not prevent the annexation scheme, nor did it obtain any territory for Switzerland. However, it may be argued that British diplomatic activity did force France to maintain a respectful policy toward Swiss independence and neutrality.

Thus, effective British policy toward Switzerland was based on the necessity for peace in the heart of Europe. Shifting alliances and jealousies among the

powers often operated favourably for Switzerland, but, nonetheless, the success of Swiss foreign policy—and perhaps even her existence as a viable nation—depended on the support of at least one of the great powers. The British often encouraged Swiss dependence on their advice and protection and, in some respects, even exploited it. A case in point is found in the Crimean war diplomacy: Britain insisted that Swiss neutrality show no favour to Russia, but Britain and France both used favourable public opinion and loopholes in Swiss law to recruit Swiss soldiers for their armies in the Crimea. The British government knew that it was acting contrary to the spirit of Swiss law, and the Swiss government had little choice but to turn a blind eye. Thus, national self-interest was a very important element in British policy to Switzerland. Fortunately for the Swiss, the British interest required their independence, and independence required neutrality.

### I. *Unpublished Documents*

#### A. Public Record Office, London:

##### Board of Trade:

BT 1/512/642/54	}	Correspondence about the Swiss treaty.
BT 1/529/1651/55		
BT 1/545/2050/57		Correspondence about a proposal for a copyright agreement with Switzerland.
BT 1/547/558/58		Correspondence about the Swiss complaint about duties on plumetis.

##### Foreign Office:

FO 7	Austria (1847-55).
FO 27	France (1847-60).
FO 30	Germany (1847 and 1849).
FO 44	Italy, earl of Minto's Mission (1847-8).
FO 64	Prussia (1848-57).
FO 74	Switzerland (1832).
FO 94	Ratifications of treaties.
FO 100	Switzerland (1844-62).
FO 192	Archives of the British legation in Berne (1845-60).

##### Private Collections:

FO 352	Stratford Canning Papers.
FO 356	Bloomfield Papers.
FO 519	Cowley Papers.
PRO 30/22	Russell Papers.

#### B. Archives Fédérales, Berne:

##### Tagsatzung:

1972	Auswärtiges: Handelskonsulate: Korrespondenz mit . . . London, 1845-8.
2090	Verhandlung . . . mit den Bundesbehörden: Grossbritannien, Korrespondenz, 1845-8.

## Eidgenössisches Politisches Departement:

- 26 Grossbritannien: Freundschafts-, Handels- und Niederlassungs-Vertrag vom 6 September 1855.  
 152 Krimkrieg.  
 153-8 Neuenburger Angelegenheit.  
 356-7 Schweiz. Gesandtschaft in Paris: Politische Berichte, 1848-54.  
 587 Fremd. Militärdienst: Grossbritannien.  
 KD: 1 (Konsular Dienst) London, Allgemeine Korrespondenz, 1848-61.

## Neutralität von Nord Savoyen:

- 3-7 1859 to August 1860.

## C. Ministère des Affaires Etrangères, Paris:

## Correspondance politique:

- 556-83 Suisse (1847-57).

II. *Official Publications*

## A. Great Britain:

## Parliamentary Papers:

- [Cd. 60]. H.C. (1836). XLV, 655. Report on Commerce and Manufactures of Switzerland, by John Bowring.  
 [Cd. 771]. H.C. (1847). LXX, 83. Communications between the Representatives of Austria, Prussia and Russia in Switzerland, and the President and Executive Council of Berne, on the occasion of the assumption by the latter of the Functions of Federal Directory.  
 [Cd. 897]. H.C. (1847/8). LXV, 353. Correspondence relative to the Affairs of Switzerland.  
 [Cd. 2041]. H.C. (1856). LXI, 333. Treaty of friendship, commerce and reciprocal establishment between Her Majesty and the Swiss Confederation, signed at Berne, September 6 1855.  
 [Cd. 2222]. H.C. (1857, Sess. 2). XLIII, 231. Treaty between Her Majesty, the Emperor of Austria, the Emperor of the French, the King of Prussia, the Emperor of Russia, and the Swiss Confederation, relative to Neuchatel; signed at Paris, 26 May 1857.  
 [Cd. 2444], p. 132. H.C. (1857/8). LV, 136. Report by Mr. Herries, Her Majesty's Secretary of Legation [on the Manufactures and Commerce of Switzerland].  
 [Cd. 2570], p. 54. H.C. (1859, Sess. 2). XXX, 56. Report by Mr. Burnley, Her Majesty's Secretary of Legation [on the Manufactures and Commerce of Switzerland].  
 [Cd. 2624]. H.C. (1860). LXVII, 43. Correspondence respecting the proposed Annexation of Savoy and Nice to France.  
 [Cd. 2630]. H.C. (1860). LXVII, 39. Despatch from Earl Cowley to Lord John Russell of 24th January, referred to in Earl Cowley's Despatch of 25th January, Savoy and Nice Papers.  
 [Cd. 2636]. H.C. (1860). LXVII, 95. Further Correspondence relating to the Affairs of Italy (Part II).

- [Cd. 2638]. H.C. (1860). LXVII, 167. Further Correspondence relating to the Affairs of Italy (Part III).
- [Cd. 2650]. H.C. (1860). LXVII, 7. Mémoire sur les rapports entre la Suisse et la Savoie neutralisée.
- [Cd. 2656]. H.C. (1860). LXVII, 211. Further Correspondence relating to the Affairs of Italy (Part IV).
- [Cd. 2702]. H.C. (1860). LXVII, 251. Correspondence relating to the Affairs of Italy, Savoy and Switzerland (Part VI).
- [Cd. 2716], p. 179. H.C. (1860). LXVI, 543. Report by Mr. Burnley, Her Majesty's Secretary of Legation [on the Manufactures and Commerce of Switzerland].
- [Cd. 2717]. H.C. (1860). LXVII, 1. Letter addressed to the British Plenipotentiary at Vienna by the Deputies from Geneva, dated 7 February 1815.
- [Cd. 2838], pp. 197, 355. H.C. (1861). LXIII, 201, 359; [Cd. 3222], pp. 26, 190. H.C. (1863). LXX, 630, 794; [Cd. 3392], pp. 1, 130, 328. H.C. (1864). LXI, 551, 680, 878. Reports by Mr. Burnley, Her Majesty's Secretary of Legation [on the Manufactures and Commerce of Switzerland].

Hansard, *Parliamentary Debates* (1847-61).

Royal Commission on the London Exhibition of 1851, *Reports by the Juries* (1852).

#### B. France:

Ministère des Affaires Etrangères:

*Annuaire diplomatique de l'Empire Français* (Paris, 1860 and 1865).

*Documents diplomatiques*, 1860 (Paris, 1861).

#### C. Switzerland:

*Feuille fédérale de la Confédération Suisse* (Berne, 1849-61).

Département Fédéral des Douanes, *Rapports annuels de la Statistique du Commerce Suisse* (Berne, 1850-69).

# Historical Manuscripts

## MIGRATIONS

[The following is a select list of historical MSS. recently offered for sale by booksellers or auctioneers. References to booksellers' catalogues are by name, number of catalogue, page and number, to auctioneers' catalogues by name, date of first day of sale, and number of lot.]

### Miscellaneous Documents.

#### English before 1603.

Statutes of Edw. I made in the 13th year of his reign (c. 1285). Statutes of Edw. III made in the 14th year of his reign (1341). (Sotheby & Co., 10. vi. 1963, no. 160.)

Survey and rental of the manors and lands of the see of Canterbury, [late 13th cent.]. (Sotheby & Co., 10. vi. 1963, no. 161.)

Compostella, J.: letter to the treasurer of Spain, Ochoa de Lauda, concerning the payment of the dowry of the queen of England [Catherine of Aragon], with the treasurer's reply, 4 and 27 Feb. 1531. (Maggs Bros., no. 889, p. 12, no. 253.)

A view of thordinarie number of men dwelling uppon the defence and savegard of . . . Calays, etc., [c. 1547]. (Sotheby & Co., 18. ii. 1963, no. 377.)

Inventories of ordnance etc. on board six shihs returned from sea under Drake and Hawkins, [c. 1596]. (Sotheby & Co., 13. v. 1963, no. 235.)

Receipt for conduct money for forces for the relief of Calais, 11 Apr. 1596. (Maggs Bros., no. 889, p. 11, no. 245.)

Charges sustained at Portsmouth for wages and navy supplies, July 1600. (Maggs Bros., no. 889, p. 24, no. 313.)

The arraynment of S<sup>r</sup> Walter Raleigh . . . at Winchester . . . 17 Nov. 1603. (Sotheby & Co., 18. ii. 1963, no. 393.)

#### English after 1603.

Burton, William: rental of the estates of Sir Robert Carr in Sleaford, Lincs., and Hetton, Northumb., 1627. (Sotheby & Co., 18. ii. 1963, no. 406.)

Pepys, Samuel: 20 letters to Edward Gregory of Chatham dockyard and 27 letters to Gregory from the Navy Office, Apr. 1671-Feb. 1672. (Sotheby & Co., 13. v. 1963, no. 240.)

Saint-George, Sir Thomas: A copy of the roll of the nobilities of England... 1686. (Alan G. Thomas, Bournemouth, no. 12, p. 12, no. 28.)

Statement and report on the income and expenditure of the public revenue, 1688-91. (Sotheby & Co., 18. ii. 1963, no. 399.)

Seymour, Charles, 6th duke of Somerset: 59 letters to Sir Thomas Pengelly on family and estate matters, 1716-27. (Sotheby & Co., 18. ii. 1963, no. 437.)

Account book of the Farrer family, 1725-45. (G. W. Walford, list no. HB/167, p. 44, no. 444.)

Churchill, Sarah, 1st duchess of Marlborough: 52 letters to the earl of Stair, 1737-42. (Sotheby & Co., 18. ii. 1963, no. 425.)

Pitt, William, 1st earl of Chatham: 9 letters to William Henry Lyttelton, governor of South Carolina, concerning the war against the French in America, 1757-9. (Sotheby & Co., 8. iv. 1963, no. 511.)

Wilberforce, William: letters ad-

dressed to him, including 32 by William Pitt the younger, 1782-1805, 26 by Henry Brougham, c. 1804-25, etc. (Sotheby & Co., 8. iv. 1963, nos. 490-1.)

Pitt, William, the younger: 30 letters to Wilberforce, 1782-1804. (Sotheby & Co., 8. iv. 1963, no. 487.)

More, Hannah: c. 130 letters to Wilberforce, 1790-1830. (Sotheby & Co., 8. iv. 1963, no. 486.)

Gibbs family, of Exeter, Bristol and Northants.: correspondence, 1795-1843. (Hodgson & Co., 25. iv. 1963, no. 549.)

Hucks family correspondence, 1797-1836. (Hodgson & Co., 25. iv. 1963, no. 549.)

Chinnery, Mrs.: c. 100 letters addressed to her including 35 from Madame de Genlis, 1802-14. (Sotheby & Co., 18. ii. 1963, no. 381.)

Raikes, Thomas, city merchant: journal, with accounts, 1802-8. (Edw. G. Allen & Son, new ser. no. 34, p. 108, no. 845.)

Wilberforce, W.: 20 letters to William Manning, M.P., 1807-31. (Maggs Bros., no. 889, p. 61, no. 486.)

Chinnery, George Robert: correspondence with his family, 1808-11, 1816-23. (Sotheby & Co., 18. ii. 1963, nos. 378-9.)

Chinnery family: letters and papers, c. 1810-30. (Sotheby & Co., 18. ii. 1963, no. 380.)

Waldie, Jane: Journal of a four months absence from England in the summer of 1815. (Brandon Books, Ringwood, no. 106, p. 16, no. 82.)

Rigaud, Stephen, foreign agent of the London Peace Society: Continental travels, 1839-42. (Sotheby & Co., 13. v. 1963, no. 239.)

Benham, Daniel: autobiography (c. 1853), with documents concerning the Benham family. (G. W. Walford, list no. HB/170, p. 4, no. 19.)

### European.

Austria. Calendar of the church of Ostermieting, 15th cent., with addi-

tions to 18th cent. (Sotheby & Co., 10. vi. 1963, no. 147.)

Austria. Reichstadt, François, duc de: 96 letters to the Empress Marie-Louise, 1816-31. (Sotheby & Co., 11. vi. 1963, nos. 149-51.)

Austria. Dietrichstein-Proskau, Leslie, Moritz, Graf von: c. 852 letters to Marie-Louise about his pupil, the duc de Reichstadt, 1816-42. (Sotheby & Co., 11. vi. 1963, no. 146.)

Austria. Malfatti, J., doctor to the duc de Reichstadt: 10 letters to Marie-Louise, 1831-2. (Sotheby & Co., 11. vi. 1963, no. 147.)

France. Bull of Paschal II granting privileges to the monastery of St. Bertin near St. Omer, 28 Oct. 1113. (Sotheby & Co., 10. vi. 1963, no. 128.)

France. Mallet du Pan, Jacques: c. 24 letters to him from the Bourbon family and other Royalists, 1793-9. (Sotheby & Co., 18. ii. 1963, no. 452.)

### British Local.

Essex: document relating to land in Boreham, 5 March 1509. (Maggs Bros., no. 889, p. 45, no. 408.)

Essex: Hinckford local militia, [roll of volunteers and returns], 1813-22. (Edw. G. Allen & Son, new ser., no. 34, p. 103, no. 817.)

Herts.: grant by Thomas de Mappardeahal of land in Stithenach [Stevenage] to the church of Westminster, [13th cent.]. (Sotheby & Co., 8. iv. 1963, no. 492.)

Lincs.: survey of lands formerly belonging to Thornton abbey in Goxhill, Thornton, Killingholme, Wootton, Barrow, etc., [late 16th cent.]. (Sotheby & Co., 18. ii. 1963, no. 407.)

Lincs.: Vincent Wing: An exact . . . survey of all the messuages . . . within the lordships of Holbech, Whapload Fleet and Moulton, 1660. (Sotheby & Co., 4. iii. 1963, no. 377.)

Lincs.: Stukeley, William: 4 notebooks on Croyland abbey, etc., c. 1732-57. (Sotheby & Co., 18. ii. 1963, no. 415.)

London: ordinances and statutes concerning the chantry of Thomas More, St. Paul's Cathedral, 1424-32. (Sotheby & Co., 10. vi. 1963, no. 163.)

Northants.: letters and papers of the Herbert family, some relating to the estate of Edmund Herbert at Whittlebury, 1732-58. (Sotheby & Co., 18. ii. 1963, no. 438.)

Suff.: documents concerning the Vesey family and their estate of Hintleaham priory, 1630-1713. (Sotheby & Co., 18. ii. 1963, no. 422.)

Warwicks.: sale of Sheldon manor by Henry Grey to the earl of Leicester, 31 May 1576. (Sotheby & Co., 18. ii. 1963, no. 394.)

Yorks.(?): grant of land at Halsam [Halaham?] by Lady Wisa de Blossenville, [11 Nov. 1201]. (Maggs Bros., no. 889, p. 31, no. 351.)

Yorks.: deeds relating to Sedbergh, 1571-1618. (Hodgson & Co., 25. iv. 1963, no. 554.)

#### American and Overseas.

Debts owing from the Society for the Propagation of the Gospel to missionaries in New England, New York, the Bahamas, etc., 22 lists, 1720-98. (Hodgson & Co., 25. iv. 1963, no. 544.)

Jamaica: Lyttelton, William Henry, 1st Baron Lyttelton of Frankley: letters and documents from his papers as governor, 1761-6. (Sotheby & Co., 8. iv. 1963, no. 510.)

Peru. Relacion de la entrada que hizo por el Estrecho el navio Yngles [Drake's?], [Callao, Peru, 1579]. (C. W. Traylen, Guildford, no. 58, p. 138, no. 374.)

St. Domingo: letters concerning treatment of naval prisoners of war, 1762. (Hodgson & Co., 25. iv. 1963, no. 548.)

St. Vincent: sale of land and slaves, 1790. (Hodgson & Co., 25. iv. 1963, no. 545.)

Trinidad: sale of slaves on Camden Plantation, 1815. (Hodgson & Co., 25. iv. 1963, no. 546.)

West Indies: inventory of Grafton Plantation, 1793. (Hodgson & Co., 25. iv. 1963, no. 547.)

Windward Islands: 7 deeds granting land on Cariouacou and Tobago to David Mill, 1770-3. (Sotheby & Co., 18. ii. 1963, no. 430.)

Africa. Columbine, Edward Henry, governor of Sierra Leone: Journal, 1809-11. (Sotheby & Co., 13. v. 1963, no. 252.)

Africa. Livingstone, David: field notebook of expedition, 1863-4. (Maggs Bros., no. 889, p. 35, no. 371.)

Africa. Stanley, Edward: diary written in Central Africa, 6 vols., 1902-6. (Hodgson & Co., 24. i. 1963, no. 458.)

India. Rawdon, Francis, 1st marquis of Hastings, governor-general of Bengal: journal, 1813-14. (Sotheby & Co., 18. ii. 1963, no. 435.)

#### Corrigenda :

P. 111, L 6 from foot. For 'Francis' read 'Thomas'.

P. 113, L 11 For 'Moutigny' read 'Montigny'.

P. 116, L 8 For 'Horne' read 'Home'.

# Index to Volume XXXVI

## Historical Manuscripts (Accessions and Migrations)

- AFGHANISTAN campaign (1841-3), 116  
 Africa, exploration in, 116, 226 *bis*  
 Alcock, Richard, 114  
 Allhallows, Kent, 114  
 America, 116  
 American Civil War, 116  
 American colonies, 112  
 American Independence, War of, 116  
 Arcos, duke of, 113  
 • Ardene, Sir Ralph de, 114  
 Ascot, in Winkfield, Berks., 113  
 Ashley cum Silverley, Cambs., 113  
 Ashley family, 111  
 Ashprington, Devon, 114  
 Assize cases, 112  
 Athenaeum Literary Society, 112  
  
 BAGALEY, Ann, 114  
 Bahamas, 226  
 Bahia, 116  
 Baillie, Charles Deymer, 110  
 Baily family, 110  
 Banks, Sir Joseph, 112  
 Bannynge, Paul, 115  
 Bansted, in Kirtling, Cambs., 114  
 Barnbarroch, laird of, 116  
 Barrow upon Humber, Lincs., 225  
 Barton Stacey, Hants, 114 *bis*  
 Bates, George H., 116  
 Beatriz, queen of Portugal, 113  
 Beaumont, Francis, 111  
 Belgium, 113  
 Bengal, 226  
 Benham, Daniel, 225  
 Benham family, 225  
 Bernardyston, John de, 115  
 Bewdley, Worcs., 115  
 Blacker, Valentine, 116  
 Blackfordby, Leics., 114  
 Blossesville, Lady Wisa de, 226  
 Boer War, 116  
 Boreham, Essex, 225  
 • Boston, Lincs., Corpus Christi guild,  
   141  
 Botesdale Book Society, 115  
 Bourbon family, 225  
 Bovill, Isabella de, 115  
 Bowring, Sir John, 116  
 Bradley, Eliaba, 116  
 Bristol, 225  
 Broomhead, Yorks., 116  
 Brougham, Henry Peter, Baron Brougham  
   and Vaux, 225  
 Bruton priory, Som., 110  
 Buckland Monachorum, Devon, 114 *bis*  
 Buonaparte, Carlo, 113  
 Burton, William, 224  
  
 Cambridge: Gonville Hall, 114; hospital of  
   St. John of Jerusalem, 113  
 Camden plantation, Trinidad, 296  
 Camera, John de, 115  
 Canterbury, *see* of, 224  
 Canton, 117  
 Cape of Good Hope, 116, 117  
 Carew, Richard, 114  
 Cariouacou, Windward Islands, 226  
 Carr, Sir Robert, earl of Somerset, 224  
 Case family, 110  
 Catherine of Aragon, 224  
 Caxton family, 110  
 Charles V, emperor, 113 *bis*  
 Chartulary, 110  
 Chatham, Kent, 224  
 Chatham, 1st earl of, *see* Pitt, William  
 Chautheth, in Broxsted, Essex, 114  
 China, 116, 117  
 Chinese War (1860), 110  
 Chinnery, Mrs., 225  
 Chinnery, George Robert, 225  
 Chinnery family, 225  
 Chirton, near Teignmouth, Devon, 114  
 Chiswick Press, 110  
 Churchill, Sarah, 1st duchess of Mari-  
   borough, 224  
 Cinque Ports, 111  
 City of London Imperial Volunteers, 116  
 Clinton, Sir William H., 112  
 Clyst St. George, Devon, 114  
 Cockerell, Sir Sydney, 113  
 Columbine, Edward Henry, 226 •  
 Compostella, J., 224  
 Connecticut Volunteer Artillery, 116  
 Cortes, Martin, marquis del Valle, 116  
 Courtya, John, 114  
 Craon, barony of, 113  
 Croyland abbey, Lincs., 225  
 Cumberland, duke of, *see* William Augustus  
  
 DALRYMPLE, John, 2nd earl of Stair, 224  
 Darcy, Sir John, 115  
 Darien, 116  
 Derbyshire, 111  
 Dietrichstein-Proskau-Lealie, Moritz, Graf  
   von, 225  
 Douglas, James, 4th earl of Morton, 116  
 Dover Castle, Kent, 113  
 Drake, Elizabeth, 111  
 Drake, Sir Francis, 111 *passim*, 114  
   *passim*, 116, 224, 226  
 Drake, Thomas, 111 *bis*  
 Drax, Yorks., 115  
 Dudley, John, Viscount Lisle, 111  
 Dudley, Robert, earl of Leicester, 226  
  
 EDMUND, earl of Rutland, 111  
 Edward IV, 111 •  
 Edward VII, 113



- Elizabeth I, 111, 114  
 Eltoft, Robert de, 115  
*Endeavour*, H.M.S., 112  
 Enford, Richard de, 114  
 England: parliament, debates, 112; house of commons proceedings, 112; revenue, 224; statutes, 111 *ter*, 224; kings and queens of, *see* Edward IV, Edward VII, Elizabeth I, Henry VIII, Victoria  
 • Exeter, Devon, 114, 225
- FARRER family, 224  
 Ffoliott, John, of Sligo, 113  
 Fitzroy, Ismania, Lady Southampton, 113  
 Fitcham with Appleton, Norf., 115  
 Foochow, 117  
 Foulis, Charles, 117  
 France, 113 *bis*; king of, *see* François I  
 François I, 110  
 Frivilla, Dru de, 114  
*Fubbs*, H.M. Yacht, 112  
 Fytz, John, 114
- GALLOWAY, 116  
 Garde Nationale, 113  
 Genlis, Stéphanie-Félicité, comtesse de, 225  
 Gibbs family, 225  
 Glastonbury abbey, Som., 115  
 Gloethorp, in Bewsey, Norf., 115  
 Goldale, near Snaith, Yorks., 115  
 Gonsalves, John, 113  
 Gordon, Charles George, 113  
 Goxhill, Lincs., 225  
 Grafton plantation, Trinidad, 226  
 Gregory, Edward, 224  
 Grenville, Richard, 114 *bis*  
 Grey, Henry, 226
- HALSHAM, Yorks., 226  
 Harris, Christopher, 111, 114  
 Hastings, Francis Rawdon-, 1st marquis of Hastings, 226  
 Haughmond abbey, Salop, 115  
 Havana, 116  
 Hawkins, Sir John, 224  
 Hawkins, Richard, 114  
 Hele, John, 114  
 Henry VIII, 111  
 Henry Frederick, prince of Wales (d. 1612), 112  
 Herbert, Edmund, 226  
 Herbert family, 226  
 Herrera, Antonio de, 116  
 Hetton, Northumb., 224  
 Hill, Octavia, 113  
 Hinckford militia, Essex, 225  
 Hintlesham priory, Suff., 226  
 Hoare, Prince (d. 1769), 110  
 Hodgson, Captain, 113  
 Holbech, lordship of, 225  
 Holland, 113  
 Home, Alexander, 3rd Lord Home, 116  
 Hong Kong, 116  
 Howard, Lord William, 1st Baron Howard of Effingham, 111  
 Hucks family, 225  
 Hyllis, William, 114
- INDIA, 116 *bis*, 117  
 Irving, Sir Paulus A., 116  
 Isaaco, African guide, 116
- JACKSONVILLE, Ill., U.S.A., 116  
 Jamaica, 116, 226  
 Jenkins, Miss A. M., 113  
 Jenkins, Robert, 117  
 Jenkinson, Robert H., 113  
 Jervis, Martha H. G., 112  
 Jowett, Benjamin, 113
- KAY, John, 115  
 Kay family, 115  
 Killingholme, Lincs., 225  
 Knights Templar, 115 *bis*
- LACRES, Roger de, 115  
 La Corcade, Isabel, 113  
 Lambryche, William, 115  
 Landor, Walter Savage, 113  
 Lane, John (d. 1925), 110  
 Latimer, 4th Baron, *see* Neville, John  
 La Tour, Anthony de, 111  
 Lauda, Ochoa de, 224  
 Lawson, Robert, 114  
 Lee, Mrs. Sarah, 116  
 Leicester, earl of, *see* Dudley, Robert  
 Leicestershire, 111  
 Lepton, Yorks., 115 *bis*  
 Lincoln, 114  
 Lincoln cathedral, 114  
 Linley, Salop, 115  
 Lisle, Viscount, *see* Dudley, John  
 Livingstone, David, 226  
 Log-books: *Ann Maria*, 112; H.M.S. *Ariadne*, 113; H.M.S. *Blake*, 112; H.M.S. *Desperate*, 113; H.M.S. *Donegal*, 112; *Harrington*, 117; *Jasper*, 112; H.M.S. *Leander*, 112; *Northfleet*, 117; H.M.S. *Orion*, 117; H.M.S. *Rhin*, 112; *Silver Eagle*, 117; H.M.S. *Sybil*, 112  
 London: British Museum, 110; 'the Herbar' in Dowgate ward, 115; Public Record Office, 110; St. Olave's parish, Horsedowne in, 112; St. Paul's cathedral, 226; Serle's coffee house, 112  
 London Peace Society, 225  
 Long, Richard, 116  
 Low Countries, English merchants in, 111  
 Lyttelton, William Henry, 1st Baron Lyttelton, 224, 226
- MALCOLM, Sir Pulteney, 112  
 Malfatti, J., 225  
 Mallet du Pan, Jacques, 225  
*Manchester Guardian*, 110  
 Manning, William, M.P., 225  
 Mappardeshal, Thomas de, 225  
 Marie-Louise, Empress, 225 *ter*  
 Mariborough, 1st duchess of, *see* Churchill, Sarah  
 Martyn, Benjamin, 112  
 Merchants, English, privileges of, 111  
 Mexico City, 116  
 Mideltune, Grant de, 115  
 Mildenhall, Suff., 115  
 Mill, David, 226  
 Mimms, South, Mdx., 115

- Montigny, France, 113  
 Montmirail convent, Epernay, France, 113  
 Montrose Loyal Volunteers, 116  
 Moore, Thomas, 112  
 More, Hannah, 225  
 More, Sir Thomas, chantry of, 226  
 Morton, 4th earl of, *see* Douglas, James  
 Moulton, lordship of, 225  
 Murray, James (d. 1794), 112  
 Murray, James C., captain, 116  
 Murray, Sir William (d. 1583), 116
- NAVY, 112, 224  
 Neville, John, 4th Baron Latimer, 115  
 Neville, William de, 115  
 Newcastle upon Tyne, Northumb., 111  
 New England, 226  
 Newton, C. T., 110  
 New York, 226  
 Niger expedition (1841-2), 116  
 Northam, Northumb., 115  
 North, Edward, 1st Baron North, 114  
 Northamptonshire, 225  
 Nottingham, Free School, 115
- OLAGNIER, Monsieur, 113  
 Order-book, naval, 112  
 Ormondston and Scole, Norf., 115  
 Ostermieting, Austria, 225
- PARK, Mungo, 116  
 Paschal II, pope, 225  
 Pengelly, Sir Thomas, 224  
 Pensengance, in Gwennap and Kea, Cornwall, 114  
 Pepys, Samuel, 112, 224  
 Peru, 226  
 Pitt, William, 1st earl of Chatham, 224  
 Pitt, William, the younger, 225 *bis*  
 Plymouth, Devon, 114  
 Pollington, Yorks., 115  
 Polo, Marco, 113  
 Polo, Marco, nephew of the traveller, 113  
 Poole, R. S., 110  
 Poor law, in Stepney, 115; in Yorkshire, 116  
 Portsmouth, 224  
 Portugal, queen of, *see* Beatrix  
 Prisoners of war, 226
- RAIKES, Thomas, 225  
 Raleigh, Sir Walter, 112, 224  
 Randolph, Alice, 113  
 Rawdon-Hastings, *see* Hastings  
*Registrum brevisium*, 111  
 Reichstadt, François, duc de, 225 *ter*  
 Reve, William, 115  
 Rhufford, Galfridus de, 115  
 Richmond, Yorks., 115  
 Riddell, William, 116  
 Rigaud, Stephen, 225  
 Romney, George, 112  
 Rouse, Anthony, 111  
 Royal Society, 112  
 Royalists, French, 110, 225  
 Rufforth, Yorks., 115
- Rust, Stephen, 113  
 Rutland, earl of, *see* Edmund
- ST. ALBANS, Herts., 114  
 St. Bertin, Pas-de-Calais, monastery of, 225  
 St. Domingo, 226  
 Saint-George, Sir Thomas, 224  
 St. Helena, 117  
 St. Vincent, 226  
 Sandford, Francis (d. 1694), 112  
 Scalford, Leics., 114  
 Scott, Charles Prestwich, 110  
 Scott, George (1720-80), 112  
 Seaward's Charity, 114  
 Sockford, T., 115  
 Sedbergh, Yorks., 226  
 Seven Years' War, American campaigns, 224  
 Seymour, Charles, 6th duke of Somerset, 224  
 Shanghai, 117  
 Sheerness, Kent, 112  
 Sheldon, Warwick., 226  
 Shelley, Mary, 112  
 Shelley family, 112  
 Sherford, Devon, 114  
 Shoreham, Kent, 114  
 Sidbury, Devon, 114  
 Sierra Leone, 226  
 Simmonds, John, 114  
 Simpson, William, 116  
 Sirbudel, Robert, 114  
 Skip, John, 114  
 Slathwaite, Yorks., 115  
 Slavery, 226 *bis*  
 Sleaford, Lincs., 224  
 Snaith, Yorks., 115  
 Society for the Propagation of the Gospel, 226  
 Somerset, 6th duke of, *see* Seymour, Charles; earl of, *see* Carr, Sir Robert  
 Southam, Glos., 114  
 Southampton, Lady, *see* Fitzroy, Ismania  
 South Carolina, 224  
 Stair, 2nd earl of, *see* Dalrymple, John  
 Stanhope, Sir Michael, 111  
 Stanley, Edward, 226  
 Stanley, Sir John T., 113  
 Stansfeld family, 110  
 Stevenage, Herts., 225  
 Strode, William, 111  
 Stukeley, William, 225  
 Sulgrave, Northants., 115  
 Superanzio, Donato, 113
- TENTERDEN, Kent, 114  
 Thornton, Lincs., 225  
 Thornton abbey, Lincs., 225  
 Tilty abbey, Essex, 114  
 Tingtor, William, 115  
 Tobago, Windward Islands, 226  
 Touchadam, barony of, 116  
 Towker, William, 114  
 Tremayne, Edmond, 114  
 Trinidad, 226  
 Turner, Richard, 111  
 Tyas, Margaret, 115  
 Tyler, Sir Charles, 116

- ULCHOR, Sir William de, 115
- VEBRY family, 226
- Victoria, Queen, 113
- Victualling books, 112
- WALDIR, Jane, 225
- Wales, prince of, *see* Henry Frederick; Edward VII
- Wapping Stepney, in Stepney, 115
- Washington, Lawrence, 115
- Washington, Robert, 115
- Watkins, Thomas, 113
- Wellesley, Arthur, 1st duke of Wellington, 112, 113 *bis*
- Wellesley, William P. T. Long-, 112
- Wellington, duke of, *see* Wellesley, Arthur
- Wescott, Thomas, 112
- West, James, 114
- West Indies, 116 *ter*, 117
- Westminster abbey, 225
- Whapload Fleet, lordship of, 225
- Whittlebury, Northants., 226
- Wilberforce, William, 224, 225 *ter*
- Wilberfoss, Yorks., 116
- Wilkinson, Sir John Gardner, 110
- Willelmus the smith, 113
- William Augustus, duke of Cumberland, 113
- Wiltshire, Sir Thomas, 117
- Wilson family, 116
- Windham, William (d. 1810), 110
- Wing, Vincent, 225
- Wolfe, James, 112
- Wolff, Joseph, 112
- Woodbridge Priory, Suff., 115
- Woodmancote, near Cheltenham, Glos., 114
- Woodsome Hall, Yorks., 115 *bis*
- Wootton, Lincs., 225
- Wrating, Little, Suff., 110
- YORKSHIRE, 116

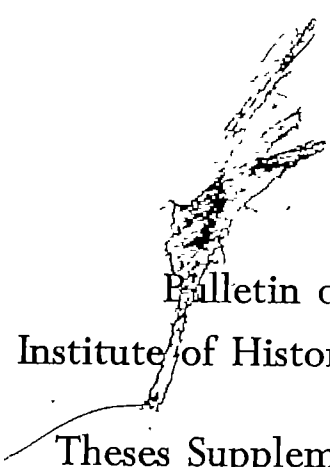
### Historical News

- ANGLO-AMERICAN Conference of Historians, 214
- Anglo-Soviet Conference of Historians, 215
- BOND, Maurice F., 105
- COMITE International des Sciences Historiques, 104
- DARLINGTON, Ida, 105
- ELTON, G. R., 214
- FOLGER Library, Washington, 105
- *Guide to Research Facilities in History*, 214
- Guide to the Records in the London County Record Office*, 105
- HISTORICAL Manuscripts Commission, 104
- KITSON CLARK, G., 214
- Koht, Halvdan, 104
- LONDON County Council, 105
- Manuscripts of the House of Lords*, 104
- NATIONAL Historical Publications Commission, U.S.A., 213
- Origin and Beginning of the International Committee of Historical Sciences*, 104

Historical Research  
for University Degrees in  
the United Kingdom



THESES COMPLETED 1962



Bulletin of the  
Institute of Historical Research

Theses Supplement No. 24

MAY 1963

## HISTORICAL RESEARCH FOR UNIVERSITY DEGREES IN THE UNITED KINGDOM

Lists of historical theses completed in the universities and university colleges of the United Kingdom were printed in the journal *History* from 1920 to 1929 and in the *Bulletin* of the Institute from 1930 to 1932. Thereafter they were recorded in annual *Theses Supplements* to the *Bulletin*, with a second part added: a list of 'Theses in Progress' during each year. Beginning with *Theses Supplement* No. 15 (May 1954) the list of Theses in Progress was no longer printed but duplicated from typescript. A cumulative subject index to theses completed has been made on cards at the Institute and is being prepared for publication.

The annual list of Theses Completed is now arranged under broad chronological and topographical headings, with indexes of universities, subjects and names of authors. The following is a list of historical theses completed and approved for higher degrees during the calendar year 1962. For each successful thesis the approved title, the author, the name of the supervisor (in brackets), the university and the degree awarded are given. A list of Theses in Progress on 1 January 1963 has been reproduced from typescript and is available without charge to subscribers to the *Bulletin* on application to the Secretary of the Institute of Historical Research, Senate House, London, W.C.1.

Both parts of this *Theses Supplement* have, as usual, been prepared from information supplied by university registrars, secretaries of faculty boards and heads of history departments, to all of whom grateful acknowledgements are made. It is normally possible for accredited students to consult completed theses, but the regulations of the various universities on the matter are so different that information should be sought in each case from the university concerned.

# CONTENTS

	PAGE
Explanatory Note . . . . .	iii
Titles of Theses completed in 1962, arranged chronologically under the following headings:	
<b>ANCIENT</b>	
Greece . . . . .	1
Roman Empire . . . . .	1
<b>MEDIEVAL EUROPE</b>	
General and Continental . . . . .	1
British Isles . . . . .	1
<b>MODERN EUROPE</b>	
France . . . . .	2
Germany . . . . .	3
Italy . . . . .	3
Russia and the U.S.S.R. . . . .	3
Spain . . . . .	3
<b>MODERN BRITAIN AND IRELAND</b>	
From the fifteenth century onwards ( <i>subjects spanning several centuries</i> ) . . . . .	3
1485-1660 . . . . .	4
1660-1714 . . . . .	4
From 1700 onwards ( <i>subjects spanning several centuries</i> ) . . . . .	5
1714-1800 . . . . .	5
1800-1914 . . . . .	6
Since 1914 . . . . .	8
<b>AFRICA</b>	
Mauritius . . . . .	8
<b>AMERICA AND WEST INDIES</b>	
Canada . . . . .	8
United States of America . . . . .	9
Latin America . . . . .	9
West Indies . . . . .	9
<b>AUSTRALIA</b> . . . . .	
<b>ASIA</b>	
Middle East . . . . .	9
Ceylon . . . . .	9
India . . . . .	9
Burma . . . . .	10
Malaya . . . . .	10
Indonesia . . . . .	10
Far East . . . . .	10
Japan . . . . .	10
Index of Universities . . . . .	11
Subject Index . . . . .	12
Author Index . . . . .	14

THESES COMPLETED

ANCIENT

**Greece**

Early Greek armour and weapons from the end of the bronze age to c.600 B.C. By A. McE. Snodgrass. (Mr. J. Boardman.) Oxford D.Phil. 1

**Roman Empire**

Proconsular administration of justice in Asia Minor in the late Republic, with special reference to Cicero in Cilicia. By A. J. Marshall. (Mr. E. W. Gray.) Oxford B.Litt. 2

Augustus and the Greek world. By G. W. Bowersock. (Professor Sir Ronald Syme.) Oxford D.Phil. 3

The eastern frontier of the Roman empire in the first century A.D., with special reference to relations with the Parthian empire. By A. J. Jones. (Mr. J. D. Thomas.) Wales M.A. 4

Tacitus on Britain—a selective commentary. By Margaret Jones. (Professor W. H. Davies.) Wales M.A. 5

The Celtic personal names in the Celtic inscriptions of Gaul, the *Commentaries on the Gallic War*, and La Graufesenque graffiti. By D. E. Evans. (Professor I. L. Foster.) Oxford D.Phil. 6

The Romans in Lancashire. By E. Jones. (Mr. J. V. H. Eames.) Liverpool M.A. 7

Studies in the Roman province of Dalmatia. By J. J. Wilkes. (Professor E. B. Birley.) Durham Ph.D. 8

A study of the Roman cavalry arm, with special reference to the deployment and use of cavalry in the second century A.D. By S. H. Bartle. (Mr. J. P. Gillam.) Durham Ph.D. 9

The 'Breviarium' of Festus: a critical edition with historical commentary. By J. W. Eadie. (Professor A. D. Momigliano.) London Ph.D. 10

MEDIEVAL EUROPE

**General and Continental**

A critical edition of the treatise on heresy ascribed to Pseudo-Reinerius, with an historical introduction. By Margaret A. E. Nickson. (Professor R. R. Betts.) London Ph.D. 11

**British Isles**

The making of the Peakland cultural landscape. By J. P. Carr. (Professor A. A. Miller and Dr. P. D. Wood.) Reading M.A. 12

Medieval monumental sculpture in the east midlands. By L. A. S. Butler. (Professors J. S. Roekell and J. D. Chambers.) Nottingham Ph.D. 13

The historical significance of Dark Age Celtic metalwork in the British Isles. By Mrs. Elizabeth Fowler, *née* Burley. (Professor C. F. C. Hawkes.) Oxford B.Litt. 14

A new survey of the contacts between Celtic Scotland and pre-Viking Northumbria (c. 500-c. 850). By D. P. Kirby. (Miss Rosemary Cramp.) Durham Ph.D. 15

## THESES SUPPLEMENT 1963

- A critical examination of some of the sources for the history of the Picts from A.D. 550 to 850. By Mrs. Isabel B. Henderson. (Mrs. Nora K. Chadwick.) Cambridge Ph.D. 16
- The correspondence of Archbishop Lanfranc: a critical edition with notes and a historical introduction. By Mrs. V. Helen Clover. (Professor M. C. Knowles.) Cambridge Ph.D. 17
- The estates of the Clare family, 1066-1317. By Jennifer C. Ward. (Professor May McKisack.) London Ph.D. 18
- An edition of the cartulary of Canonsleigh abbey (Devon). (Harl. MS. 3660.) By Vera London. (Professor C. N. L. Brooke.) Liverpool M.A. 19
- Land and population on the bishop of Winchester's estates, 1209-1350. By J. Z. Titow. (Mr. E. Miller.) Cambridge Ph.D. 20
- Schools of glass-painting in the midlands, 1275-1430. By P. A. Newton. (Professor F. Wormald.) London Ph.D. 21
- The honour of Tutbury in the fourteenth and fifteenth centuries. By Jean R. Birrell. (Dr. R. H. Hilton.) Birmingham M.A. 22
- The economic history of west Berkshire in the fourteenth and fifteenth centuries. By Mrs. Rosamond J. Faith. (Dr. H. P. R. Finberg.) Leicester Ph.D. 23
- The fourteenth-century province of York and its archbishops. By Mrs. Katherine Wood. (Professor J. H. Le Patourel.) Leeds M.A. 24
- Henry of Grosmont, first duke of Lancaster. By K. A. Fowler. (Prof. Le Patourel.) Leeds Ph.D. 25
- The distribution of lay wealth in south-east England in the early fourteenth century. By R. E. Glasscock. (Professor H. C. Darby.) London Ph.D. 26
- The knights of the shire for Worcestershire, 1377 to 1421. By J. T. Driver. (Dr. A. R. Myers.) Liverpool M.A. 27
- The parliamentary representation of Nottinghamshire, Derbyshire and Staffordshire during the reign of Richard II. By J. G. Bellamy. (Prof. Roskell.) Nottingham M.A. 28
- Beverley minster, government and society, 1381-1540. By N. Heard. (Mr. F. W. Brooks.) Hull M.A. 29
- The career of Thomas Arundel until his exile in 1397. By the Hon. Mrs. Margaret E. Aston. (Mr. K. B. McFarlane.) Oxford D.Phil. 30
- The Worcestershire peasant in the later middle ages. By R. K. Field. (Dr. Hilton.) Birmingham M.A. 31
- The trade of Newcastle-upon-Tyne in the later middle ages. By J. B. Blake. (Dr. Margaret Sharp.) Bristol M.A. 32
- Aspects of the government of the principality of Wales in South Wales in the fifteenth century. By R. A. Griffiths. (Dr. Sharp.) Bristol Ph.D. 33
- The Plumpton correspondence. By Shirley M. Thomas. (Mr. J. Taylor.) Leeds M.A. 34

## MODERN EUROPE

### France

- Some sixteenth-century French artists having connections with Scotland: the Queanell family and Jehan Decourt. By Sheila M. Percival. (Professor D. Talbot Rice.) Edinburgh Ph.D. 35



## THESES COMPLETED

The machinery of repression under Louis XIV and its limitations, with special reference to the repression of the revolt of the Camisards. By Esther J. Heap. London Ph.D. (External). 36

A social study of the town of Bayeux on the eve of the French Revolution. By Olwen H. Hufton. (Professor A. B. C. Cobban.) London Ph.D. 37

The concept of fraternity and its place in the French Revolution, 1789-94. By P. B. Harris. (Mr. W. Pickles.) London Ph.D. (Faculty of Economics). 38

The political record of Maurice Paléologue. By R. P. Ground. (Mr. A. J. P. Taylor.) Oxford B.Litt. 39

Workers' education in France, 1890-1914. By T. B. Caldwell. (Professor A. Briggs.) Leeds Ph.D. 40

The politics of 'moral revolution' in France, 1926-51: a study of Liberal Catholicism. By D. L. Lewis. (Mr. Pickles.) London Ph.D. 41

### Germany

Anglo-German trade, 1815-53. By Hilda E. Fitter. (Dr. A. H. John.) London M.A. 42

### Italy

The service of the Scuole Grandi to the state and people of Venice in the sixteenth and early seventeenth centuries. By B. S. Pullan. (Dr. J. H. Elliott.) Cambridge Ph.D. 43

Anglo-Florentine cultural relations in the second half of the eighteenth century. By B. Moloney. (Professor E. R. P. Vincent.) Cambridge Ph.D. 44

### Russia and the U.S.S.R.

The remilitarisation of the Black Sea. By J. H. Laws. (Dr. J. A. Thomas.) Wales M.A. 45

Paul Milyukov and the Constitutional Democratic party. By F. J. Piotrow. (Professor M. Beloff.) Oxford D. Phil. 46

Changes in structure and personnel in the Soviet state and Communist party from 1953 to 1959: a study of party-state relations. By A. C. Berson. (Dr. G. H. Bolsover.) London Ph.D. 47

### Spain

Diplomatic relations between Great Britain and Spain, 1711-14. By M. A. Martin. (Dr. Ragnhild M. Hatton.) London Ph.D. 48

## MODERN BRITAIN AND IRELAND

### From the fifteenth century onwards (*subjects spanning several centuries*)

The rural geography of the west Durham Pennines. By D. Thompson. (Miss Dorothy Sylvester.) Manchester M.A. 49

A study of central places and their services within the London area. By G. Hartley. (Professor A. E. Smailes.) London Ph.D. 50

Lincoln: a study in urban morphology. By R. Knowles. (Professor K. C. Edwards.) Nottingham Ph.D. 51

Horsham: a geographical study. By Florence A. Hamblin. (Professor M. J. Wise.) London M.A. 52

## THESES SUPPLEMENT 1963

- Studies in the historical geography of the East Riding of Yorkshire. By A. Harris. Hull Ph.D. 53
- The geography of crofting in Scotland. By J. R. Coull. (Professor A. C. O'Dell.) Aberdeen Ph.D. 54
- 1485-1660**
- English representation at the court of Rome in the early Tudor period. By D. S. Chambers. (Mr. J. R. Hale.) Oxford D.Phil. 55
- The history of the Trinity House at Deptford, 1514-1660. By G. G. Harris. (Dr. Alwyn A. Ruddock.) London M.A. 56
- The secular clergy in the diocese of Lincoln, 1514-21. By Margaret Roper. (Mr. C. A. J. Armstrong.) Oxford B.Litt. 57.
- The income, administration and disposal of the monastic lands in Lancashire from the dissolution to c. 1558. By R. J. Mason. (Mr. G. A. J. Hodgett.) London M.A. 58
- The continuity of humanist ideas during the English Reformation to 1553. By J. K. McConica. (Professor H. R. Trevor-Roper.) Oxford D.Phil. 59
- Scottish demonology in the sixteenth and seventeenth centuries and its theological background. By Mrs. Christina J. Larner, *née* Ross. (Dr. G. Donaldson and Mr. A. C. Cheyne.) Edinburgh Ph.D. 60
- Popular subversion and government security in England during the reign of Queen Mary I. By D. M. Loades. (Dr. G. R. Elton.) Cambridge Ph.D. 61
- English military organization, c.1558-1638. By L. O. J. Boynton. (Professor R. B. Wernham.) Oxford D.Phil. 62
- Elizabethan pageantry as propaganda. By R. C. Strong. (Miss Frances Yates.) London Ph.D. 63
- The Elizabethan corporation of Norwich, 1558-1603. By J. F. Pound. (Mr. R. J. Knecht.) Birmingham M.A. 64
- Edwig Sandys and the settlement of religion in England, 1558-88. By I. P. Ellis. (Dr. T. M. Parker.) Oxford B.Litt. 65
- The origin and development of the General Assembly of the Church of Scotland, 1560-1600. By D. Shaw. (Dr. Donaldson.) Edinburgh Ph.D. 66
- Sir Michael Hicke and the secretariat of the Cecils, c.1580-1612. By A. G. R. Smith. (Professor J. Hurstfield.) London Ph.D. 67
- Machiavelli and secular political thought in England during the seventeenth century. By F. Raab. (Prof. Trevor-Roper.) Oxford D.Phil. 68
- Irish financial reform under James I. By V. W. Treadwell. (Professor J. C. Beckett.) Belfast Ph.D. 1961. 69
- John Berkenhead in literature and politics, 1640-63. By P. W. Thomas. (Prof. Trevor-Roper.) Oxford D.Phil. 70
- The political influence and importance of London, 1658-62. By G. V. Chivers. (Mr. D. H. Pennington.) Manchester Ph.D. 71
- 1660-1714**
- The consistory courts in the diocese of St. Davids. By W. T. Morgan. (Professor D. Williams.) Wales M.A. 72
- The advancement of the king's credit, 1660-72. By H. G. Roseveare. (Mr. C. H. Wilson.) Cambridge Ph.D. 73

THESES COMPLETED

- The naval side of "King William's War",—opening phase 16/26 November 1688 to 31 December 1689. By E. B. Powley. (Mr. C. T. Atkinson.) Oxford D.Phil. 74
- The historical and antiquarian interests of Thomas Tanner (1674–1735), bishop of St. Asaph. By M. J. Sommerlad. (Dr. E. Anne O. Whiteman.) Oxford D.Phil. 75
- The Whig junto in relation to the development of party politics and party organization, from its inception to 1714. By E. L. Ellis. (Dr. J. B. Owen.) Oxford D.Phil. 76
- John Locke as a conservative: an edition of Locke's first writings on political obligation. By P. Abrams. (Mr. T. P. R. Laslett.) Cambridge Ph.D. 77
- Parliament and the Protestant dissenters, 1702–19. By Mrs. Patricia M. Ansell, *née* Scholes. (Mr. I. R. Christie.) London M.A. 78

*From 1700 onwards (subjects spanning several centuries)*

- Public health administration in Swansea and west Glamorgan since the eighteenth century. By G. D. Fielder. (Professor G. Williams.) Wales M.A. 79
- The historical geography of the sea-faring industry of the coast of Cardigan Bay during the eighteenth and nineteenth centuries. By Margaret E. Hughes. (Professor E. G. Bowen.) Wales M.A. 80
- The development and location of the soap-manufacturing industry in Great Britain, 1700–1850. By L. Gittins. (Professor M. J. Wise.) London Ph.D. (Faculty of Economics). 81
- The operation of the Scottish poor laws in north-east Scotland, 1750–1850. By Jean Lindsay. (Professor H. Hamilton.) Aberdeen Ph.D. 82
- The economic and social history of the principal Protestant denominations in Leeds, 1760–1844. By C. M. Elliott. (Professor H. J. Habakkuk.) Oxford D.Phil. 83
- The location of footwear manufacture in England and Wales. By P. R. Mounfield. (Mr. E. M. Rawstron.) Nottingham Ph.D. 84
- The problems of the economic and social geography of the south central Lancashire coal and cotton area. By P. J. Rimmer. (Mr. T. W. Freeman.) Manchester M.A. 85
- The development and subsequent decline of the chief inland waterways and standard gauge railways of the North of Ireland. By W. A. McCutcheon. (Dr. L. J. Symons.) Belfast Ph.D. 86

**1714–1800**

- Isaac Madox and the dioceses of St. Asaph and Worcester, 1736–59. By J. L. Salter. (Miss Mary E. Ransome.) Birmingham M.A. 87
- The naval administration of the fourth earl of Sandwich, 1771–82. By M. J. Williams. (Professor C. C. Lloyd.) Oxford D.Phil. 88
- English politics and the American revolution, 1773–5. By B. Donoghue. (Dr. Owen.) Oxford D.Phil. 89
- Life and work of William Owen Pughe. By Glenda L. Parry-Williams. (Professor J. E. C. Williams.) Wales M.A. 90

## THESES SUPPLEMENT 1963

- The development of the London money market, 1780-1830. By K. F. Dixon. (Professor R. S. Sayers.) London Ph.D. (Faculty of Economics). 91
- The importance of William Smith, M.P. (1756-1835) in the movements for the abolition of the slave trade, parliamentary reform and the relief of the Protestant Dissenters. By B. Aspinwall. (Professor A. Goodwin.) Manchester M.A. 92
- William Smith and the politics of dissent, 1791-1828. By R. W. Davis. (Dr. J. H. Plumb.) Cambridge M.Litt. 93
- Impeachment of Warren Hastings. By P. J. Marshall. (Dr. Lucy S. Sutherland.) Oxford D.Phil. 94
- The parliamentary representation of South Wales, 1790-1830. By R. D. Rees. (Professor A. Aspinall.) Reading Ph.D. 95
- 1800-1914**
- Capital investment in north-eastern England, 1800-1913. By A. G. Kenwood. (Professor F. W. Paish and Dr. T. C. Barker.) London Ph.D. (Faculty of Economics). 96
- The historical geography of Londonderry in the nineteenth century. By J. H. Johnson. (Professor H. C. Darby.) London Ph.D. 97
- An economic geography of Montgomeryshire in the nineteenth century. By J. M. Powell. (Mr. R. M. Prothero.) Liverpool M.A. 98
- Newspapers and opinion in three midland cities (Leicester, Birmingham, Nottingham), 1800-50. By D. Fraser. (Dr. D. Read.) Leeds M.A. 99
- Economic conditions and working-class movements in Bath, 1800-50. By R. A. Neale. (Professor W. Ashworth.) Bristol M.A. 100
- The career of Sir Robert Smirke, R.A. By J. M. Crook. (Mr. H. M. Colvin.) Oxford D.Phil. 101
- John Wilson Croker's influence on Sir Robert Peel. By C. N. Breiseth. (Mr. M. G. Brock.) Oxford B.Litt. 102
- The geography of the Nithsdale-Annandale region, Dumfriesshire, 1813-16. By J. D. Wood. (Professor J. W. Watson.) Edinburgh Ph.D. 103
- The evolution of high farming, 1815-65, with reference to Herefordshire. By E. L. Jones. (Mr. J. W. Y. Higgs.) Oxford D.Phil. 104
- Investment in Liverpool shipping, 1815-35. By F. Neal. (Dr. J. R. Harris.) Liverpool M.A. 105
- The image of American democracy in English politics, 1820-50. By D. P. Crook. (Dr. B. R. Crick.) London Ph.D. (Faculty of Economics). 106
- The Glasgow parliamentary constituency, 1832-46. By D. A. Teviotdale. (Mr. J. B. S. Gilfillan.) Glasgow B.Litt. 107
- Origins and achievements of Winchester College pupils, 1836 to 1934. By T. J. H. Bishop. (Professor D. V. Glass.) London Ph.D. (Faculty of Economics). 108
- His Majesty's inspectors of mines, 1843-62. By A. J. Cassell. (Mr. A. T. Patterson.) Southampton M.Sc. (Econ.). 109
- The Russell administration, 1846-52. By F. A. Dreyer. (Professor N. Gash.) St. Andrews Ph.D. 110
- Henry Robinson Hartley: his family, his life and the establishment of the Hartley Institution. By A. Anderson. (Mr. Patterson.) Southampton M.A. 111

## THESES COMPLETED

- The life and work of Henry Clifton Sorby, 1826-1908. By N. Higham. (Professor A. Briggs.) Leeds M.A. 112
- The established church and the education of the Victorian middle classes: a study of the Woodard schools, 1847-91. By W. B. D. Heeney. (Mr. J. D. Walsh.) Oxford D.Phil. 113
- The London letterpress printing industry, 1850-1914. By B. W. E. Alford. (Dr. D. C. Coleman.) London Ph.D. (Faculty of Economics). 114
- From status to contract: a biographical study of Sir Henry Maine, 1822-88. By G. A. Feaver. (Mr. M. Cranston.) London Ph.D. (Faculty of Economics). 115
- The political ideas of Sir Alfred Comyn Lyall. By Mrs. Parveen Hassan. (Professor W. H. Morris-Jones.) Durham M.Litt. 116
- The political thought of some of the founders of Christian Socialism. By Joyce Parkyn. London M.A. (External). 117
- The formation of the Liberal party, 1857-68. By J. R. Vincent. (Dr. G. S. R. Kitson Clark.) Cambridge Ph.D. 118
- The Sun Mill Cotton Spinning Co. Ltd., a study in democratic investment, 1858-1959. By R. E. Tyson. (Dr. W. H. Chaloner.) Manchester M.A. 119
- The formation of policy in the India office, 1858-66, with special reference to the Political, Judicial, Revenue, Public and Public Works Departments. By D. Williams. (Dr. C. C. Davies.) Oxford D.Phil. 120
- The making of the second Reform Bill. By F. B. Smith. (Dr. Kitson Clark.) Cambridge Ph.D. 121
- The introduction and operation of short service and localization in the British army, 1868-92. By B. J. Bond. (Mr. M. E. Howard.) London M.A. 122
- Anglican attitudes to church, state and society during Mr. Gladstone's first ministry, 1868-74. By P. T. Marsh. (Professor W. O. Chadwick.) Cambridge Ph.D. 123
- The economy of Scotland during the great depression, 1873-96. By T. J. Byres. (Professor S. G. Checkland.) Glasgow B.Litt. 124
- The British electrical industry, 1875-1914. By I. C. R. Byatt. (Professor H. J. Habakkuk.) Oxford D.Phil. 125
- Land reform, 1880-1919: a study of the English Land Restoration League and the Land Nationalisation Society. By A. J. Peacock. (Mr. F. C. Mather.) Southampton M.A. 126
- The Liberal party in Scotland, 1885-95. By J. G. Kellas. (Mr. I. R. Christie.) London Ph.D. 127
- The location of the British car industry, 1888-1940. By D. R. Littlewood. (Dr. K. Warren.) Leicester M.A. 128
- A history of secondary education in Montgomeryshire since 1889. By L. H. Williams. (Mr. A. L. Trott.) Wales M.A. 129
- Authority in church and state: aspects of the thought of J. N. Figgis and his contemporaries. By D. G. Nicholls. (Dr. A. R. Vidler.) Cambridge Ph.D. 130
- The Barrack Act of 1890; its motives and consequences, with special reference to the history of Shorncliffe camp. By R. Brook. (Professor C. L. Mowat.) Wales M.A. 131
- The end of isolation: British foreign policy, 1900-5. By G. W. Monger. (Mr. F. H. Hinsley.) Cambridge Ph.D. 132
- Some aspects of the history of the Liberal party in Britain between 1906 and 1914. By A. S. King. (Mr. M. Shock.) Oxford D.Phil. 133

## THESES SUPPLEMENT 1963

The general election of 1906. By A. K. Russell. (Mr. A. F. Thompson.)  
Oxford D.Phil. 134

### Since 1914

The Independent Labour party, 1918-32, with special reference to its  
relationship with the Labour party. By R. E. Dowse. London Ph.D.  
(Faculty of Economics) (External). 135

Studies in the abolition of economic controls in Great Britain after the  
two world wars. By D. H. Aldcroft. (Dr. Chaloner.) Manchester Ph.D. 136

The origins of the Communist party in Great Britain and its early history,  
1920-7. By L. J. Macfarlane. London Ph.D. (Faculty of Economics)  
(External). 137

West Cumberland: changes in its industrial geography, 1928-57. By  
Mary R. Hall. (Mr. Freeman.) Manchester M.A. 138

## AFRICA

Documents for the history of commercial relations between Egypt and  
Venice, 1442-1512. By J. E. Wansbrough. (Professor B. Lewis.) London  
Ph.D. 139

The growth and distribution of white population in South Africa from the  
second British occupation (1806) until 1951. By Eileen M. McCracken.  
(Professors E. E. Evans and H.O. Meredith.) Belfast Ph.D. 140

Germany, Belgium, Britain and Ruanda-Urundi, 1884-1919. By W. R.  
Louis. (Mr. A. J. P. Taylor.) Oxford D.Phil. 141

The Bechuanaland Protectorate, 1885-95. By A. Sillery. (Professor  
V. T. Harlow.) Oxford D.Phil. 142

The development of British administrative control of Southern Nigeria,  
1900-12: a study in the administrations of Sir Ralph Moor, Sir William  
MacGregor and Sir Walter Egerton. By S. M. Tamuno. (Dr. I. Mary  
Cumpston.) London Ph.D. 143

The Moroccan question, April 1906-February 1909. By H. M. H.  
Sobhy. (Professor W. N. Medlicott.) London Ph.D. 144

The reign of 'Ali Dinār, last Sultan of Darfūr, 1898-1916. By A. B.  
Theobald. London Ph.D. (External). 145

### Mauritius

Constitutional development of Mauritius, 1810-1948. By D. Napal.  
London M.A. (External). 146

## AMERICA AND WEST INDIES

### Canada

Historical geography of the Mackenzie river valley, 1750-1850. By J. K.  
Stager. (Professor J. W. Watson.) Edinburgh Ph.D. 147

The Canadian Northwest in 1811; a study in the historical geography of  
the Old Northwest of the fur trade on the eve of the first agricultural settle-  
ment. By E. de W. Ross. (Prof. Watson and Mr. G. A. Shepperson.)  
Edinburgh Ph.D. 148

## THESES COMPLETED

The expansion of the Church of England in Rupert's Land from 1820 to 1839 under the Hudson's Bay Company and the Church Missionary Society. By A. N. Thompson. (Professor W. O. Chadwick.) Cambridge Ph.D. 149

Agriculture and politics in Ontario since 1867. By Marion J. MacLeod. (Professor H. R. G. Greaves.) London Ph.D. (Faculty of Economics). 150

### United States of America

Socialism and the American Federation of Labor, 1886-1903. By J. H. M. Laslett. (Dr. H. M. Pelling.) Oxford D.Phil. 151

Executive leadership and the formulation of a policy towards Europe during the first administration of Franklin D. Roosevelt, 1933-7. By D. K. Adams. (Professor M. Beloff.) Oxford D.Phil. 152

### Latin America

British capital, commerce and diplomacy in Latin America, Independence to 1914—intervention or abstention? By D. C. St.M. Platt. (Dr. R. M. Hartwell.) Oxford D.Phil. 153

### West Indies

Negro education in the British West Indies: attitudes and policy after emancipation, 1834-50. By R. I. Romain. (Mr. J. Gallagher.) Cambridge Ph.D. 154

## AUSTRALIA

Sir George Bowen's governorship of Queensland, 1859-67. By N. I. Graham. (Dr. I. Mary Cumpston.) London M.A. 155

## ASIA

### Middle East

The relations between the Crimean Tatars and the Ottoman empire, 1578-1608, with special reference to the role of Gāzi Girāy Khan. By C. M. Kortepeter. (Professor B. Lewis.) London Ph.D. 156

### Ceylon

Social institutions in Ceylon from the 5th century B.C. to the 4th century A.D. By H. Ellawala. (Professor A. L. Basham and Dr. J. G. de Casparis.) London Ph.D. 157

The rise and decline of Chola power in Ceylon. By W. M. K. Wijetunga. (Dr. de Casparis.) London Ph.D. 158

### India

Ancient Indian warfare, with special reference to the Vedic period. By S. D. Singh. (Prof. Basham.) London Ph.D. 159

Studies in the economic life of northern and western India, c. 200 B.C.-A.D. 300. By G. Adhya. (Prof. Basham.) London Ph.D. 160

Republican and quasi-republican institutions in ancient India, with special reference to the time of the Buddha. By J. P. Sharma. (Prof. Basham.) London Ph.D. 161

## THESES SUPPLEMENT 1963

- Ideas of history in the historical literature of early medieval India. By V. S. Pathak. (Prof. Basham.) London Ph.D. 162
- Feudalism in northern India, c. A.D. 700-1200. By Mrs. Krishna K. Gopal. (Dr. de Casparis.) London Ph.D. 163
- The economic life of northern India, c. A.D. 700-1200. By L. Gopal. (Prof. Basham.) London Ph.D. 164
- The development of the English East India Company, with special reference to its trade and organisation, 1600-40. By K. N. Chaudhuri. (Dr. K. A. Ballhatchet.) London Ph.D. 165
- Murahid Qulī Khān and his times. By A. Karim. (Mr. J. B. Harrison.) London Ph.D. 166
- The growth of agricultural labour in the Madras Presidency in the nineteenth century. By Mrs. Dharma Kumar. (Mr. Gallagher.) Cambridge Ph.D. 167
- The emergence of Indian nationalism. By A. Seal. (Mr. Gallagher.) Cambridge Ph.D. 168
- Lord Minto and the Indian nationalist movement, with special reference to the political activities of the Indian Muslims, 1905-10. By S. R. Wasti. (Dr. Ballhatchet.) London Ph.D. 169
- Aspects of the urban geography of New Delhi. By M. P. Thakore. (Professor A. E. Smailes.) London Ph.D. 170

### **Burma**

- The political and constitutional evolution of Burma from 1923 to 1936. By A. Ram. (Professor H. R. Tinker.) London Ph.D. 171

### **Malaya**

- The movement to remove the Straits Settlements from the control of India, culminating in the transfer to the colonial office in 1867. By Constance M. Turnbull. London Ph.D. (External). 172

### **Indonesia**

- Early Indonesian commerce and the origins of Śrīvijaya. By O. W. Wolters. (Professor D. G. E. Hall.) London Ph.D. 173

### **Far East**

- British opinion and the Far Eastern crisis, 1945-54. By B. E. Porter. (Professor R. J. M. Wight.) London Ph.D. (Faculty of Economics). 174

### **Japan**

- British trade and traders in Japan, 1859-69. By J. McMaster. (Professor W. G. Beasley.) London Ph.D. 175
- The diplomacy of the Anglo-Japanese alliance, 1902-7. By I. H. Nish. London Ph.D. (External). 176
- The Anglo-Japanese alliance, 1902-4, with particular reference to British public opinion. By T. H. Chivers. (Mr. E. W. Edwards.) Wales M.A. 177
- Baron Shidehara's China policy, with special reference to the period between 1924 and 1927. By H. Oka. (Mr. G. R. Storry.) Oxford B.Litt. 178



# INDEX

References are to numbers, not to pages.

## (i)

### UNIVERSITIES

- Aberdeen: Ph.D. 54, 82  
 Aberystwyth, *see* Wales  
 Bangor, *see* Wales  
 Belfast: Ph.D. 69, 86, 140  
 Birmingham: M.A. 22, 31, 64, 87  
 Bristol: Ph.D. 33; M.A. 32, 100  
 Cambridge: Ph.D. 16-17, 20, 43-4, 61, 73, 77, 118, 121, 123, 130, 132, 149, 154, 167-8; M.Litt. 93  
 Cardiff, *see* Wales  
 Durham: Ph.D. 8-9, 15; M.Litt. 116  
 Edinburgh: Ph.D. 35, 60, 66, 103, 147-8  
 Glasgow: B.Litt. 107, 124  
 Hull: Ph.D. 53; M.A. 29  
 Leeds: Ph.D. 25, 40; M.A. 24, 34, 99, 112  
 Leicester: Ph.D. 23; M.A. 128  
 Liverpool: M.A. 7, 19, 27, 98, 105  
 London: Ph.D. 10-11, 18, 21, 26, 37, 41, 47-8, 50, 63, 67, 97, 127, 139, 143-4, 156-66, 169-71, 173, 175; Ph.D. (Ext.) 36, 145, 172, 176; Ph.D. (Faculty of Economics) 38, 81, 91, 96, 106, 108, 114-15, 150, 174; Ph.D. (Faculty of Economics) (Ext.) 135, 137; M.A. 42, 52, 56, 58, 78, 122, 155; M.A. (Ext.) 117, 146  
 Manchester: Ph.D. 71, 136; M.A. 49, 85, 92, 119, 138  
 Nottingham: Ph.D. 13, 51, 84; M.A. 28  
 Oxford: D.Phil. 1, 3, 6, 30, 46, 55, 59, 62, 68, 70, 74-6, 83, 88-9, 94, 101, 104, 113, 120, 125, 133-4, 141-2, 151-3; B.Litt. 2, 14, 39, 57, 65, 102, 178  
 Reading: Ph.D. 95; M.A. 12  
 St. Andrews: Ph.D. 110  
 Southampton: M.A. 111, 126; M.Sc. (Econ.) 109  
 Swansea, *see* Wales  
 Wales: M.A. (Aberystwyth) 4-5, 72, 80, 129, (Bangor) 45, 90, 131, (Cardiff) 177, (Swansea) 79

## (ii)

### SUBJECTS OF THESES

- AGRICULTURAL LABOUR, in Madras Presidency (19th cent.), 167  
 Agriculture, in Herefordshire (19th cent.), 104; in Ontario (19th-20th cent.), 150  
 'All Dinār (c. 1865-1916), sultan of Darfūr, 145  
 America, Latin, Britain and (19th-20th cent.), 153  
 America, United States of, *see* United States of America  
 American Federation of Labor, 151  
 American Revolution, 89  
 Annandale, Dumfriesshire (19th cent.), 103  
 Armour, Greek (early), 1  
 Army, British (19th cent.), 122  
 Arundel, Thomas (1353-1414), archbishop of Canterbury, 30  
 Asia Minor (Roman), 2  
 Augustus (63 B.C.-14 A.D.), Roman emperor, 3  
 BARRACK ACT (1890), 131  
 Bath (19th cent.), 100  
 Bayeux, Calvados (18th cent.), 37  
 Bechuanaland Protectorate, 142  
 Belgium, and Ruanda-Urundi (19th-20th cent.), 141  
 Bengal (18th cent.), 166  
 Berkenhead, Sir John (1616-79), 70  
 Berkshire, west (14th-15th cent.), 23  
 Beverley, Yorks. (14th-16th cent.), 29  
 Beverley minister, Yorks. (14th-16th cent.), 29  
 Birkenhead, Sir John, *see* Berkenhead  
 Birmingham (19th cent.), 99  
 Black Sea, 45  
 Bowen, Sir George Ferguson (1821-99), colonial governor, 155  
 'Breviarium' (Festus's), 10  
 Britain (Roman), 5  
 Burghley, Lord, *see* Cecil, William  
 Burma (20th cent.), 171  
 CARRAR, Caius Julius (102-44 B.C.), 6  
 Camisards, 36  
 Canada, north-west (19th cent.), 148  
 Canonleigh abbey, Devon, 19  
 Canterbury, archbishops of, *see* Lanfranc; Arundel, Thomas  
 Car industry (19th-20th cent.), 128  
 Cardigan bay (18th-19th cent.), 80  
 Cartulary, 19  
 Catholicism, Liberal (20th cent.), 41  
 Cavalry (Roman), 9  
 Cecil, Robert (1563?-1612), 1st earl of Salisbury, 67  
 Cecil, William (1520-98), Baron Burghley, 67  
 Celtic inscriptions, 6  
 Celtic metalwork, 14  
 Celtic personal names, 6

SUBJECTS OF THESE

- Ceylon (ancient), 157  
 China, Japan and (20th cent.), 178  
 Cholas, in Ceylon, 158  
 Christian Socialism, 117  
 Church, and state, 123, 130  
 Church Missionary Society, 149  
 Church of England (19th cent.), 113, 123; in  
     Rupert's Land (19th cent.), 149  
 Church of Scotland (16th cent.), 66  
 Cicero, Marcus Tullius (106-43 B.C.), 2  
 Cilicia, province of, Asia Minor, 2  
 Clare family (11th-14th cent.), 18  
 Clergy, English secular (16th cent.), 57  
 Coal industry, in Lancashire, 85  
*Commentaries on the Gallic War* (Caesar's), 6  
 Commercial relations, *see* Economic rela-  
     tions; Trade  
 Communist party, of Great Britain, 137; of  
     the U.S.S.R., 47  
 Constitutional Democratic party, Russian, 46  
 Cotton industry, 85, 119  
 Courts, consistory, 72  
 Credit, royal (1660-72), 73  
 Crofting, 54  
 Croker, John Wilson (1780-1857), politician,  
     102  
 Cumberland, west (20th cent.), 138
- DALMATIA (Roman), 8  
 Darfur, Sudan, Africa, 145  
 Decourt, Jehan (16th cent.), French artist,  
     35  
 Demonology, Scottish (16th-17th cent.), 60  
 Depression, economic (1873-96), 124  
 Derbyshire (14th cent.), 28  
 Diplomatic relations, English, with Roman  
     court (15th-16th cent.), 55  
 Dissenters (18th cent.), 78; (18th-19th cent.),  
     92-3  
 Durham co., west, 49
- EAST INDIA COMPANY (17th cent.), 165  
 Economic controls, abolition of (20th cent.),  
     136  
 Economic relations, British, with Germany  
     (19th cent.), 42; with Japan (19th cent.),  
     175; with Latin America (19th-20th cent.),  
     153; Egyptian, with Venice (15th-16th  
     cent.), 139. *See also* Trade.  
 Education, middle class (19th cent.), 113;  
     Negro, in West Indies, 154; secondary,  
     129; workers', in France, 40  
 Egerton, Sir Walter (1858-1947), colonial  
     governor, 143  
 Egypt (15th-16th cent.), 139  
 Election, parliamentary (1906), 134  
 Electrical industry (19th-20th cent.), 125  
 Elizabeth I (1533-1603), *Queen*, 63  
 Elliot, Gilbert J. M. K. (1845-1914), 4th  
     earl of Minto, viceroy of India, 169
- FAR EAST (20th cent.), 174  
 Festus (4th cent.), Roman writer, 10
- Feudalism, in India (8th-13th cent.), 163  
 Figgis, John Neville (1866-1919), historian,  
     130  
 Finance, Irish (17th cent.), 69  
 Florence, and England (18th cent.), 44  
 Footwear manufacture, 84  
 Foreign policy, British (20th cent.), 132; of  
     the U.S.A. (20th cent.), 152  
 Foreign relations, British, with Japan  
     (20th cent.), 176; with Spain (18th cent.),  
     48; Japanese, with China (20th cent.), 178  
 France (17th-18th cent.), 36; (19th-20th  
     cent.), 40; (20th cent.), 41; and Scotland  
     (16th cent.), 35  
 Fraternity, concept of (18th cent.), 38  
 French Revolution, 38  
 Fur trade, of Canada, 148
- GAUL, 6  
 Gazi Giray (1554-1608), Khan of the Tatars,  
     156  
 Germany (19th cent.), 42; and Ruanda-  
     Urundi (19th-20th cent.), 141  
 Gladstone, William Ewart (1809-98), 123  
 Glamorgan, west (18th-20th cent.), 79  
 Glasgow (19th cent.), 107  
 Glass-painting, English (13th-15th cent.), 21  
 Government security, in England (16th  
     cent.), 61  
 Graffiti, La Graufesenque, 6  
 Greece (ancient), 1  
 Greek empire, 3  
 Grosmont, Henry of, *see* Henry of Lancaster
- HARTLEY, Henry Robinson (d. 1850), 111  
 Hartley Institution, Southampton, 111  
 Hastings, Warren (1732-1818), governor-  
     general of India, 94  
 Henry of Lancaster (1299?-1361), 1st duke  
     of Lancaster, 25  
 Herefordshire (19th cent.), 104  
 Heresy, 11  
 Hickey, Sir Michael (1543-1612), 67  
 Historiography, Indian (medieval), 162  
 Horsham, Sussex, 52  
 Hudson's Bay Company, 149  
 Humanism, in England (15th-16th cent.),  
     59
- INDEPENDENT LABOUR PARTY, 135  
 India (ancient), 159, 161; (medieval), 160,  
     162-4; (20th cent.), 168-9  
 India office (19th cent.), 120  
 Indonesia (ancient), 173  
 Industry, of west Cumberland (20th cent.),  
     138  
 Inland waterways, in N. Ireland, 86  
 Inscriptions, Celtic, 6  
 Investment, in N.E. England (19th-20th  
     cent.), 96; British overseas (19th-20th  
     cent.), 153  
 Ireland (17th cent.), 69  
 Ireland, Northern, 86

## SUBJECTS OF THESES

- JAPAN (19th cent.), 175; and Britain (20th cent.), 176-7; and China (20th cent.), 178
- KING WILLIAM'S WAR (1688-9), 74  
Knights of the shire, in Worcestershire, 27
- LABOUR PARTY, 135  
Lairty (medieval), 26  
Lancashire (Roman), 7; (16th cent.), 58; south central, 85  
Lancaster, 1st duke of, *see* Henry of Lancaster  
Land, distribution of (13th-14th cent.), 20  
Land Nationalisation Society, 126  
Land reform (19th-20th cent.), 126  
Land Restoration League, 126  
Lanfranc (d. 1089), archbishop of Canterbury, 17  
Leeds (18th-19th cent.), 83  
Leicester (19th cent.), 99  
Liberal party (19th cent.), 118; (20th cent.), 133; in Scotland (19th cent.), 127  
Lincoln, 51  
Lincoln, diocese of (16th cent.), 57  
Liverpool (19th cent.), 105  
Locke, John (1632-1704), philosopher, 77  
London, 50; (17th cent.), 71; (18th-19th cent.), 91; (19th-20th cent.), 114  
Londonderry (19th cent.), 97  
Louis XIV (1638-1715), king of France, 36  
Lyll, Sir Alfred Comyn (1835-1911), Anglo-Indian administrator, 116
- MACGREGOR, Sir William (1846-1919), colonial governor, 143  
Machiavelli, Niccolo (1469-1527), Italian statesman, 68  
Mackenzie river, Canada (18th-19th cent.), 147  
Madox, Isaac (1697-1759), bishop of Worcester, 87  
Madras Presidency (19th cent.), 167  
Maine, Sir Henry James Sumner (1822-88), jurist, 115  
Mauritius (19th-20th cent.), 146  
Metalwork, Celtic, 14  
Midlands (13th-15th cent.), 21; east (medieval), 13  
Military organization, English (16th-17th cent.), 62  
Milyukov, Paul (1857-1943), Russian historian, 46  
Mines, inspectors of (19th cent.), 109  
Minto, 4th earl of, *see* Elliot, Gilbert J. M. K.  
Monasteries, dissolution of, in Lancashire, 58  
Money market, of London (18th-19th cent.), 91  
Montagu, John (1718-92), 4th earl of Sandwich, 88  
Montgomeryshire (19th cent.), 98; (19th-20th cent.), 129  
Monumental sculpture (medieval), 13  
Moor, Sir Ralph Denham Rayment (1860-1909), high commissioner of Southern Nigeria, 143
- 'Moral revolution', in France, 41  
Morocco, question of (20th cent.), 144  
Murshid Quli Khan (d. 1727), nawab of Bengal, 166  
Muslimes, Indian (20th cent.), 169
- NAMES, Celtic personal, 6  
Nationalism, Indian, 168-9  
Navy, British (18th cent.), 88  
Negro education, in West Indies, 154  
New Delhi, 170  
Newcastle-upon-Tyne (medieval), 32  
Newspapers, in the midlands (19th cent.), 99  
Nithsdale, Dumfriesshire (19th cent.), 103  
Northumbria, and Scotland (6th-9th cent.), 15  
Norwich (16th-17th cent.), 64  
Nottingham (19th cent.), 99  
Nottinghamshire (14th cent.), 28
- ONTARIO (19th-20th cent.), 150  
Ottoman empire (16th-17th cent.), 156  
Owen, William, *see* Pughes, William Owen
- PAGEANTRY (16th-17th cent.), 63  
Paléologue, Maurice (1859-1941), French diplomat, 39  
Parliament (18th cent.), 78  
Parliamentary election, *see* Election  
Parliamentary reform, 92  
Parliamentary representation, of Derbyshire (14th cent.), 28; of Glasgow (19th cent.), 107; of Nottinghamshire (14th cent.), 28; of South Wales (18th-19th cent.), 95; of Staffordshire (14th cent.), 28  
Parthians, 4  
Peakland, 12  
Peasantry, in Worcestershire (medieval), 31  
Peel, Sir Robert (1788-1850), statesman, 102  
Pennines, 49  
Picts (6th-9th cent.), 16  
Plumpton family, 34  
Political obligation, John Locke's writings on, 77  
Political thought, English (17th cent.), 68  
Poor law, in Scotland (18th-19th cent.), 82  
Population, in England (13th-14th cent.), 20; in South Africa (19th-20th cent.), 140  
Printing industry (19th-20th cent.), 114  
Proconsuls, in Asia Minor, 2  
Propaganda (16th-17th cent.), 63  
Protestants, in Leeds (18th-19th cent.), 83  
Pseudo-Reimerius, 11  
Public health, in Swansea and west Glamorgan (18th-20th cent.), 79  
Public opinion (19th cent.), 99; (20th cent.), 174, 177  
Pughes, William Owen (1759-1835), Welsh antiquary, 90
- QUEENSLAND (19th cent.), 155  
Quosnel family (16th cent.), French artists, 35

## SUBJECTS OF THESE

- RAILWAYS, in N. Ireland, 86  
 Reform Bill (1867), 121  
 Reformation, in England, 59  
 Repression, political, in France (17th-18th cent.), 36  
 Republican institutions, Indian (early), 161  
 Roman empire, 4  
 Rome, court of (15th-16th cent.), 55  
 Roosevelt, Franklin Delano (1882-1945), president of the U.S.A., 152  
 Ruanda-Urundi (19th-20th cent.), 141  
 Rupert's Land, 149  
 Russell, Lord John (1792-1878), 1st Earl Russell, 110
- ST. ASAPH, bishop of, *see* Tanner, Thomas  
 St. Asaph, diocese of (18th cent.), 87  
 St. Davids, diocese of, 72  
 Salisbury, 1st earl of, *see* Cecil, Robert  
 Sandwich, 4th earl of, *see* Montagu, John  
 Sandys, Edwin (1516?-88), archbishop of York, 65  
 Scotland, 54; (Celtic), 15; (16th-17th cent.), 60; (19th cent.), 124, 127; north-east (18th-19th cent.), 82; and France (16th cent.), 35. *See also* Church of Scotland  
 Scuole Grandi, Venice, 43  
 Sea-farming industry, in Cardigan bay (18th-19th cent.), 80  
 Settlement, religious (16th cent.), 65  
 Shidehara, Kijuro (1872-1951), Baron, Japanese diplomat, 178  
 Shipping industry (19th cent.), 105  
 Shorncliffe camp, 131  
 Slave trade, abolition of, 92  
 Smirke, Sir Robert (1781-1867), architect, 101  
 Smith, William (1756-1835), politician, 92-3  
 Soap-manufacturing industry (18th-19th cent.), 81  
 Sorby, Henry Clifton (1826-1908), geologist, 112  
 South Africa (19th-20th cent.), 140  
 South Wales (15th cent.), 33; (18th-19th cent.), 95  
 Southern Nigeria (20th cent.), 143  
 Spain, and Britain (18th cent.), 48  
 Srivijaya, Indonesia, 173  
 Staffordshire (14th cent.), 28  
 Straits Settlements, 172  
 Subversion, popular, in England (16th cent.), 61  
 Sun Mill Cotton Spinning Co., 119  
 Swansea (18th-20th cent.), 79
- TACITUS, Cornelius (c. 55-120), Roman historian, 5  
 Tanner, Thomas (1674-1735), bishop of St. Asaph, 75  
 Tatars (16th-17th cent.), 156  
 Trade, of the East India Company, 165; of Indonesia (early), 173; of Newcastle-upon-Tyne (medieval), 32  
 Trinity House, Deptford (16th-17th cent.), 56  
 Tutbury, honour of (14th-15th cent.), 22
- UNION OF SOCIALIST SOVIET REPUBLICS, 47  
 United States of America (19th cent.), 106; (20th cent.), 152
- VENICE (15th-16th cent.), 139; (16th-17th cent.), 43
- WALES, 84. *See also* South Wales  
 Wales, principality of (15th cent.), 33  
 Warfare, Indian (ancient), 159  
 Wealth, distribution of (medieval), 26  
 West Indies (19th cent.), 154  
 Whig party (to 1714), 76  
 William III (1650-1702), King, 74  
 Winchester, bishops of (13th-14th cent.), 20  
 Winchester College (19th-20th cent.), 108  
 Woodard schools, 113  
 Worcester, diocese of (18th cent.), 87  
 Worcesterahire (medieval), 27, 31  
 Workers, education of, in France, 40  
 Working-class movements, in Bath (19th cent.), 100
- YORK, archbishops of (14th cent.), 24. *See also* Sandys, Edwin  
 York, province of (14th cent.), 24  
 Yorkshire, East Riding, 53

### (iii)

## AUTHORS

ABRAMS, P., 77  
 Adams, D. K., 152  
 Adhya, G., 160  
 Aldcroft, D. H., 136  
 Alford, B. W. E., 114  
 Anderson, A., 111  
 Ansell, Patricia M., 78  
 Aspinwall, B., 92  
 Aston, Margaret E., 30

BARTLE, S. H., 9  
 Bellamy, J. G., 28

Benson, A. C., 47  
 Birrell, Jean R., 22  
 Bishop, T. J. H., 108  
 Blake, J. B., 32  
 Bond, B. J., 122  
 Bowersock, G. W., 3  
 Boynton, L. O. J., 62  
 Breiseth, C. N., 102  
 Brook, R., 131  
 Burley, Elizabeth, *see* Fowler  
 Butler, L. A. S., 13  
 Byatt, I. C. R., 125  
 Byres, T. J., 124

## AUTHORS

CALDWELL, T. B., 40  
 Carr, J. P., 12  
 Cassell, A. J., 109  
 Chambers, D. S., 55  
 Chaudhuri, K. N., 165  
 Chivers, G. V., 71  
 Chivers, T. H., 177  
 Clover, V. Helen, 17  
 Coull, J. R., 54  
 Crook, D. P., 106  
 Crook, J. M., 101

DAVIS, R. W., 93  
 Dixon, K. F., 91  
 Donoughue, B., 89  
 Dowse, R. E., 135  
 Dreyer, F. A., 110  
 Driver, J. T., 27

EADIE, J. W., 10  
 Ellawala, H., 157  
 Elliott, C. M., 83  
 Ellis, E. L., 76  
 Ellis, I. P., 65  
 Evans, D. E., 6

FAITH, Rosamond J., 23  
 Feather, G. A., 115  
 Field, R. K., 31  
 Fielder, G. D., 79  
 Fitter, Hilda E., 42  
 Fowler, Elizabeth, 14  
 Fowler, K. A., 25  
 Fraser, D., 99

GITTINS, L., 81  
 Glascock, R. E., 26  
 Gopal, Krishna K., 163  
 Gopal, L., 164  
 Graham, N. I., 155  
 Griffiths, R. A., 33  
 Ground, R. P., 39

HALL, Mary R., 138  
 Hamblin, Florence A., 52  
 Harris, A., 53  
 Harris, G. G., 56  
 Harris, P. B., 38  
 Hartley, G., 50  
 Hassan, Parveen, 116  
 Heap, Esther J., 36  
 Heard, N., 29  
 Heeney, W. B. D., 113  
 Henderson, Isabel B., 16  
 Higham, N., 112  
 Hufton, Olwen H., 37  
 Hughes, Margaret E., 80

JOHNSON, J. H., 97  
 Jones, A. J., 4  
 Jones, E., 7  
 Jones, E. L., 104  
 Jones, Margaret, 5

KARIM, A., 166  
 Kellas, J. G., 127  
 Kenwood, A. G., 96  
 King, A. S., 133  
 Kirby, D. P., 15  
 Knowles, R., 51  
 Kortepeter, C. M., 156  
 Kumar, Dharma, 167

LARNER, Christina J., 60  
 Lalett, J. H. M., 151  
 Laws, J. H., 45  
 Lewis, D. L., 41  
 Lindsay, Jean, 82  
 Littlewood, D. R., 128  
 Loades, D. M., 61  
 London, Vera, 19  
 Louis, W. R., 141

MCCONICA, J. K., 59  
 McCracken, Eileen M., 140  
 McCutcheon, W. A., 86  
 Macfarlane, L. J., 137  
 MacLeod, Marion J., 150  
 McMaster, J., 175  
 Marsh, P. T., 123  
 Marshall, A. J., 2  
 Marshall, P. J., 94  
 Martin, M. A., 48  
 Mason, R. J., 58  
 Moloney, B., 44  
 Monger, G. W., 132  
 Morgan, W. T., 72  
 Mounfield, P. R., 84

NAPAL, D., 146  
 Neal, F., 105  
 Neale, R. A., 100  
 Newton, P. A., 21  
 Nicholls, D. G., 130  
 Nickson, Margaret A. E., 11  
 Nish, I. H., 176

OKA, H., 178

PARKYN, Joyce, 117  
 Parry-Williams, Glenda L., 90  
 Pathak, V. S., 162  
 Peacock, A. J., 126  
 Percival, Sheila M., 35  
 Plotrow, F. J., 46  
 Platt, D. C. St. M., 153  
 Porter, B. E., 174  
 Pound, J. F., 64  
 Powell, J. M., 98  
 Powley, E. B., 74  
 Pullan, B. S., 43

RAAB, F., 68  
 Ram, A., 171  
 Rees, R. D., 95  
 Rimmer, P. J., 85

## AUTHORS

Romain, R. I., 154  
 Roper, Margaret, 57  
 Rosevoare, H. G., 73  
 Ross, Christina J., *see* Lerner  
 Ross, E. de W., 148  
 Russell, A. K., 134

SALTER, J. L., 87  
 Scholes, Patricia M., *see* Ansell  
 Seal, A., 168  
 Sharma, J. P., 161  
 Shaw, D., 66  
 Sillery, A., 142  
 Singh, S. D., 159  
 Smith, A. G. R., 67  
 Smith, F. B., 121  
 Snodgrass, A. McE., 1  
 Sohby, H. M. H., 144  
 Sommerlad, M. J., 75  
 Stager, J. K., 147  
 Strong, R. C., 63

TAMUNO, S. M., 143  
 Teviotdale, D. A., 107  
 Thakore, M. P., 170

Theobald, A. B., 145  
 Thomas, P. W., 70  
 Thomas, Shirley M., 34  
 Thompson, A. N., 149  
 Thompson, D., 49  
 Titow, J. Z., 20  
 Treadwell, V. W., 69  
 Turnbull, Constance M., 172  
 Tyson, R. E., 119

VINCENT, J. R., 118

WANSBROUGH, J. E., 139  
 Ward, Jennifer C., 18  
 Wasti, S. R., 169  
 Wijetunga, W. M. K., 158  
 Wilkes, J. J., 8  
 Williams, D., 120  
 Williams, Glenda L. P., *see* Parry-Williams  
 Williams, L. H., 129  
 Williams, M. J., 88  
 Wölters, O. W., 173  
 Wood, J. D., 103  
 Wood, Katherine, 24

# THE ENGLISH HISTORICAL REVIEW

Edited by DENYS HAY, M.A.

No. 309

October, 1963

21s. net

## CONTENTS

### ARTICLES

THE COMMONS' PETITIONS OF 1340. *By G. L. Harriss*

SIR JOHN COPE: PROMOTION IN THE EIGHTEENTH CENTURY ARMY. *By I. F. Burton and A. N. Newman*

THE DECLINE OF 'THE PARTY OF THE CROWN' AND THE RISE OF PARTIES IN THE HOUSE OF LORDS, 1783-1837. *By D. Large*

### NOTES AND DOCUMENTS

THE DOMESDAY TEAMLAND IN LEICESTERSHIRE. *By J. S. Moore*

THE 'HONOUR OF RICHMOND' IN 1086. *By J. F. A. Mason*

JOHN OF FORD AND THE INTERDICT. *By C. J. Holdsworth*

GEORGE III AND THE DEBT ON LORD NORTH'S ELECTION ACCOUNT, 1780-1784. *By Ian R. Christie*

### REVIEWS

### SHORT NOTICES

### INDEXES TO VOL. LXXVIII

LONGMANS, GREEN & CO., LTD., 48 Grosvenor Street, LONDON, W.1

# University of Birmingham Historical Journal

Editor: PHILIP STYLES, M.A.

VOL. VIII No. 2

1962

## CONTENTS

Wolstan de Bramford, Prior and Bishop of Worcester, c. 1280-1349

*R. M. Haines*

The Forest Economy of the Honour of Tutbury in the Fourteenth and Fifteenth Centuries

*Jean R. Birrell*

An Elizabethan Census of the Poor: the treatment of vagrancy in Norwich, 1570-1580

*J. F. POUND*

Uganda and Great Britain

*A. S. Barrowdale and Douglas Johnson*

### Summaries of Theses

Ploughing services on the Demesnes of the Bishop of Worcester in the late thirteenth century

*T. H. Lloyd*

The Gentry of London in the reign of Charles I

*Jennifer Grant*

PUBLISHED ANNUALLY AT 12s. 6d. A COPY. Orders should be sent to the Hon. Treasurer at the School of History, The University, Birmingham 15.

# UNIVERSITY OF LONDON

## Sir Thomas Smith 1513-77

### A Tudor Intellectual in Office

MARY DEWAR

This is the first biography of Sir Thomas Smith to appear since Strype's *Life* of 1698. Using much new documentary evidence, Mrs Dewar has been able to give a connected account both of his public career, as a Secretary under Edward VI and as Ambassador to France and First Secretary under Elizabeth I, and also of his multifarious intellectual activities, and of his interests as an Essex landowner. Known as the author of the *De Republica Anglorum*, Smith was also, in Mrs Dewar's view, the author of the *Discourse of the Commonwealth* and other treatises; her full discussion of these questions is reserved for a projected separate study. *Illustrated; about 35s.*

## Lord Salisbury and Foreign Policy

### The Close of the Nineteenth Century

J. A. S. GRENVILLE

In this general account of British foreign policy throughout the seven years of Lord Salisbury's last administration, based throughout on archival sources, Dr Grenville proposes a major revision of several widely-held conclusions. Whilst the figure of Salisbury dominates the scene, and the character and methods of his approach to foreign policy receive particular attention, one of the book's leading themes is the growing divergence between his general views and those of Chamberlain and Lansdowne, and the eventual adoption of a 'new course' when the latter succeeded to the Foreign Secretaryship in 1900. UNIVERSITY OF LONDON HISTORICAL STUDIES, NO. 14 *About 45s.*

## Education under Penalty

### English Catholic Education from the Reformation to the Fall of James II

A. C. F. BEALES

This history of English Catholic education for boys and young men during the century and a half that followed Henry VIII's assertion of the royal supremacy traces, with the help of hitherto unused documentary material, the course of the resistance offered by the Catholic community to the Elizabethan penal laws on education; the establishment of clandestine schools in England and Wales; the foundation, aims and later fortunes of the colleges, seminaries and schools established abroad by Cardinal Allen and others; the character and scope of the education that was provided, both in England and abroad; and the subsequent careers of some of those whom it touched. The account ends with the 'false dawn' under James II. Scotland and Ireland are discussed briefly in appendices. *Illustrated; 50s.*

THE ATHLONE PRESS

Printed by Spottiswoode, Ballantyne & Co. Ltd., London and Colchester

NOV 1963